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New-York Daily Times.

HENRY CLAY FESTIVAL.

TENTH ANNUAL CELEBRATION.

Rev. Dr. Osgood—Mr. James Brooks—Mr. Bemis and Gen.

LETTERS, SENTIMENTS, &c.

The Clay Festival Association celebrated their tenth annual festival last (Thursday) night, in the Metropolitan Hotel. The occasion was marked by more than ordinary zeal, and in all the concomitants of delicate and luxurious viands, exquisite wines, (though they had to be paid for,) good humor and uninterrupted harmony, excelled the most brilliant of its predecessors. The apartment was appropriately decorated. Behind the Chairman a bronze bust of the great statesman was placed upon a pedestal, in the foot of which was fixed a portrait of the same personage. The American flag was suspended above in graceful folds. On the table in front of the President was placed a large and indescribable ornament in pastry, surrounded by a host. Various other devices in the same material ornamented the longitudinal tables.

Dr. E. V. Pierce occupied the Chair. On his right were seated Rev. Dr. Osgood, and Messrs. James Brooks, J. N. Reynolds, ex-Sheriff Thomas Carney, and N. G. Osgood; on the other side we observed Hon. M. Kunkel, and Messrs. Henry Grinnell, M. R. Brewer, J. P. Kneeb, President of the Association; Dr. Thos. R. Wood and Geo. W. Quintard, Vice Presidents.

The following gentlemen acted as Vice Presidents: Silvia J. Eastman, Alfred G. Fickman, Allen Hay, David Webb, James Gardner, John T. Allen.

The Misses Leland, with the attention and courtesy for which they have always been distinguished, gave their personal inspection to the arrangements, and thereby added materially to the general success which crowned the celebration.

Rev. Mr. Osgood asked a blessing.

The Chairman, after the table had been cleared, rose and said: Gentlemen of the Clay Festival Association: the day of time has reached the passage of another year, and we are again called upon, with the consideration of our Association, to commemorate the birthday of Henry Clay. In our former celebrations it has been a pleasure to call around us friends, who, though opposed in the views of our Association, sympathized with us in heart, and remain firm and faithful supporters of the principles of Henry Clay. [Applause.] In accordance with that custom, we had specially designed, on this occasion, to give the Chair to one who has ever been ready with our earnest zeal and a pure devotion of heart, to proclaim and support those principles with which our Association is identified, and in acknowledgement of his earnest maintenance of which, we were anxious to confer on him the presiding chair of this festival. I refer, gentlemen, to Hon. Eugene Becker, of the State Senate. [Loud applause.] The recommendation which I hold in my hand will, however, explain his inability to be with us this evening.

The Chairman then read a very eminence letter from the honorable gentleman referred to, in the course of which the writer remarked that if Henry Clay had lived the Missouri Compromise would never have been repealed.

The Anniversary Song, of which we append the following stanza, was sung by Mr. Mickle, the author, the whole company joining in the chorus:

With joy, we welcome back the Spring,
Its sunny days and beauty,
When "Violets and Clover" white,
Speak—HOPE AND PEACE—in figures;
But yet, by far more dear than all,
It comes in the day,
That gave to us—and to the world,
The LOVED ONE—HENRY CLAY.

Oh! HENRY CLAY, this is thy Natal Day,
To us more dear,
Each passing year,
Tho' then hast pass'd away.

The Chairman then gave the second regular toast which was as follows:

The Political Principles of Henry Clay—Safe guides to present and future statesmen. [Loud cheers.]

Mr. Kunkel—Kentucky's pride.

The third regular toast was then announced as follows:

The Memory of Henry Clay—"Years pass, but his memory lives not."

Mr. Kunkel—"The evil impress of his virtues yet
Lingers, like Twilight hues when the bright sun has set."

"The good that men do, lives after them."

Music—"Oh! is the jolly night."

Rev. Dr. Samuel Osgood was then introduced by the Chairman, and responded to the toast almost in the following language:

Mr. President—I hardly feel entitled to take the conspicuous position to which your appointment has just called me, for I came to an one of your friends and neighbors, to perform a religious office here, and participating in world of love, being invited there. But my engagements were such that I could not attend, and I was told that you were desirous that some disinterested gentleman, who has a right to your confidence would lend off. I did myself, however, just attended to the thing, which I hardly feel entitled to be a private in the ranks even. Let me say also in supporting here, I desire to be distinctly understood. Every man must be himself; every man indeed feel of himself the responsibility to be somebody else; and the calendar of a great many persons in their whole lives in trying to be somebody else, when they cannot be. I would be myself. I am not a politician. I am no partisan. My only relation to politics has been in trying to cast an honest citizen's vote at every election. (Cheers.) But you will probably bear with me in a few remarks, as I have been requested to say something. How the minds that we have just heard, tend to one heart—that tender, "Oh! is the jolly night." I know that when we were in College, it used to be a favorite song. Sometimes, coming on the little Fresh Pond, which was a favorite resort with us on a moonlight night, and sometimes sat in the College yard, without any fear of our elders, we used to most together to sing that song. It is a song of other days, and as we hear it this evening, there seems to be something in its pensive sweetness, as there is in the quiet and unbroken associations, and as we listen to it as this, the birth-night of that great statesman, I protest to the land, Henry Clay is dearer to me and to every friend of his memory than ever before. Many and various are the opinions of that great statesman. "Oh! is the jolly night?" we have heard to his words, and his words have been the history of our country for the last forty years. [Great applause.] May I not say a word of American statesmanship, as connected with this name? I am no doubt addressing those who are more competent to speak of statesmanship than myself, but I have been a careful observer, and I may say a careful student of the history of our country, and I believe that the name of Henry Clay is associated with more of American statesmanship than any other name. Now the minds that we have just heard

NEW-YORK CITY.

COURT OF OYER AND TERMINER.—April 17.
Before Hon. Judge Clerke.

THE MOTION TO TRAIL THE ALLEGED ACCESSORIES IN THE POOLE MURDER—POSTPONEMENT OF THE ARGUMENT.

The Court opened this morning at 11 o'clock. After a somewhat protracted conversation in private between the prosecuting officer, the counsel for the prisoners and the Court,

Mr. Clark proceeded formally to make his motion to have the parties for whom he appeared admitted to bail. The question, he said, as to the advisability or propriety of admitting his clients to bail lay entirely within the discretion of the Court. It became, therefore, exceedingly material for the Court to know what were the facts in the case and the circumstances surrounding it. He had suggested to his learned friend the District Attorney that he (prisoner's counsel) should procure the attendance of certain witnesses; and in pursuance of that suggestion, he had those witnesses here to-day, who, if permitted to do so, would state certain very material facts bearing upon the question of the prisoners' guilt or innocence of the parties. He now spoke of the parties other than those concerned in the firing which resulted in the death of Poole. As the facts upon which he relied as sufficient to show the right of the prisoners to be admitted to bail were not exhibited in the minutes of the case, as taken before the Grand Jury, nor in the proceedings before the Coroner's Jury, and for the simple reason that the facts there elicited tended not to exculpate, but to criminate and accuse, he submitted, therefore, that the decision of this question as to bail involved in its very nature a preliminary trial, to a certain extent; for the determination of the matter as to bail being discretionary, that discretion was to be exercised with reference to the probable guilt or innocence of the accused. And that involved an examination of the fact whether the Court was entitled to take the new facts proposed from papers and witnesses, or was limited to the minutes kept by an unlearned clerk of the Grand Jury. He was not prepared to say that he had seen any direct authority which would authorise an accused person, in a capital case, to adduce before a judicial officer authorized to take bail, testimony showing his innocence. He was free to say that no amount of such testimony would have the effect of *discharging* the prisoner. All that was claimed was that in determining the *question of bail*, the object of which was not to discharge a person, but to secure his attendance on the trial, the Court should look to all the facts. If, in this case, the Court required authorities for the points contended for on the part of the prisoners, he (the counsel) would submit such as he deemed applicable. In conclusion, he gave notice that he should press for the trial of the parties for whom he was concerned at an early day.

The Court inquired for what time the counsel would be likely to press a trial?

Mr. Clark said he proposed to urge a trial at the present term. He did not know whether the convenience of the Court and of the public prosecutor would permit such a trial to be heard during the current term, but if the matter went over to the Fall Session there would be a laudable object in delaying bail *in a case where*, he respectfully submitted, there was no reasonable probable guilt, but, on the contrary, in the case of some of the parties as he would respectfully submit, a probability of entire innocence.

The Court believed it was conceded on all sides that there was now before it on this motion for bail, all the testimony taken before both *the Coroner's Jury and the* Grand Jury.

The District Attorney—All the testimony in the case of which I have any knowledge is now before your Honor.

The Court—(to *Mr. Clark*)—Your suggestion now is to the effect, in effect, that it is a motion to be permitted to adduce other testimony upon the question of the probable guilt or innocence of these parties with a view, simply, to this matter of bail—I mean other testimony than that which comes in on the minutes of the investigation before either of those juries?

Mr. Clark—That is just it.

The District Attorney—In regard to that there is no better maxim to which we can look in the law as regards any such application as this, and as regards any such argument as my learned friend outlines by his remarks, than the well known one, "Best cases are apt to induce bad law." The application and the suggestions of my learned friend strike me with considerable surprise; and I don't know that they strike your Honor's mind, but I do know that I am aware of but two cases only in which the Court ever looked beyond the record which comes to it concurrent with the indictment, in order to determine the question here at issue. These cases are very old, and as I consider, are exploded as authorities. One case was that of The King *vs.* Crip, in the reign of George I., where the Court looked into affidavits; the other was the case of The King *vs.* Parnell, in the reign of George III. From the elaborate work of Mr. Chitty down to the last important work on criminal law, that of Mr. Bishop, of Boston, now going through the press, I have been utterly unable to find a single case of this character. In the case of The King *vs.* McLeod, the judge was very strenuous in maintaining that no evidence, whether before or after the indictment, could be looked into, except the depositions before the Grand Jury. [The learned gentleman referred to other cases in which the same principle was asserted.] In the survey, he continued, which I had to make of this question, I was confined to the limits of the time which I could devote to it. I was engaged in the *Court before Judge Morris*; I was totally unable to find any reason, in the first place, or any authority in the *second, for such a principle as my learned friend seems* to claim. But if he is strenuous in regard to this application, and your Honor does not feel authorized to act on your present impression, why the matter had better be over, and be fully argued.

The Court supposed it was a well-settled principle that this Court possessed the same power as was possessed by the Judge's Bench in England. If the Court deem proper to admit to bail, it must necessarily have some facts and circumstances before it by which its discretion was to be guided. It would be impossible, as a matter of course, for the Court to pass upon a question of that kind unless it had something by which its judgment could be directed, and that must either be the depositions before the Coroner's Jury, the records of the preliminary examination taken before a magistrate, or some other specific testimony. What that testimony should be, or rather what limit there was to it, he (the honorable Judge) was not now prepared distinctly to say. He knew that in the case in which he himself had been engaged as counsel—one of the mob-cases tried in Columbia County—in which a person familiarly known as "Big Thunder" was the accused, an application was made before a Supreme Court Commissioner to admit him to bail, and the Commissioner did permit some testimony to be taken before him on the question of probable innocence, or the improbability of any conviction for a capital offence. Indeed it was a case in which it was evident to every one who was acquainted with the facts, that a capital conviction could not take place. And when that was the case—when, upon an investigation, a knowledge of all the facts, it was a matter of demonstration that a party could not be convicted eventually of the capital charge, and he was as might be upon some lesser offence, or perhaps could not be convicted at all, it was very proper indeed that he should be admitted to bail, instead of being confined within the limits of a jail during the time that might intervene previous to a trial. I am not prepared at this moment to say, the learned Judge continued, and I am not satisfied from my recollections of the law as laid down in that case, whether it would be competent in this case or not for the Court to look beyond the depositions taken on both the Coroner's inquest and the Grand Jury. It might operate, it is true, as a very great hardship, if these facts were not admitted as legal evidence than that before the Coroner's Jury, which is said to be *ex parte*, would justify such a proceeding. My disposition with regard to it is this; when the question comes up before me, whether or not we are to admit these men to bail, I should like to have before me all the testimony which the law authorizes or justifies. I cannot say that I should be disposed to go beyond any well settled principles that have been recognized by the authorities in regard to what such testimony shall be. I would prefer, therefore, to have that question fully argued. It would not answer, he proceeded, as a matter of course, to establish a precedent that would make application for bail substantially a trial of the guilt or innocence of a party, but simply that the Court might have the discretion to take testimony other than that which was now on the files of the Court. If the counsel were not prepared to discuss it at this moment, he would suggest that a day be set apart for that purpose.

Mr. Clark suggested Saturday morning, at 10 o'clock.

The Court—If any testimony other than what is now before the Court should be taken in regard to the question of bail, I think it is very proper that the District Attorney should have the right to cross-examine; and, therefore, in such an event, the personal attendance of witnesses would be desirable.

The District Attorney thought he would be saved the necessity of making any provision for such a contingency. He believed that when his learned friend came to examine the authorities very carefully, he would withdraw his present determination on this point. He was also satisfied that as a lawyer he, (Mr. Clark,) would hardly incur the risk of pressing this point after such an examination. He did not think, therefore, that the contingency to which the Court had alluded would arise.

Mr. Clark—But suppose it should?

District Attorney—Then if other testimony is to be offered, I should certainly wish to cross-examine upon it.

Mr. Clark inquired when the learned District Attorney proposed to try this indictment?

District Attorney—The term is pretty well filled up for next week and the week after; every day, in fact, is taken up. I am not able to say at present when the cases in which prisoners appear as parties will be entered upon.

Mr. Clark—The accused have determined to have separate trials, and some of them are ready.

District Attorney—Of course, at the same time it always rests with the discretion of the prosecution which of them shall be first tried.

Mr. Clark—I know of no *pressing* that authorizes that.

District Attorney—I refer my learned friend and your Honor to a work only published yesterday, in Justice Parker's new volume of criminal cases in this State.

The Court—Let the motion stand over, then, till Saturday morning.

The Court then adjourned.

Trial of John B. Holmes for Killing David Gourley, the Policeman.

Postponed over.

COURT OF GENERAL SESSIONS.—April 17.
Before Hon. Judge Beebe.

This trial was resumed yesterday. The Court room was crowded by a respectable audience, who appeared to take considerable interest in the proceedings.

EVIDENCE FOR THE DEFENCE RESUMED.

Andrew C. Boyd, examined: I reside at No. 19 Washington-street; I recollect the evening of Nov. 3; I was at No. 63 Greenwich-street where Mr. Holmes resides; I was there from about half-past 11 till nearly 1 o'clock; I saw Holmes and the policemen Gourley and Sheehan; I had occasion to go to see Mr. Collins; when I heard a noise on the street; I was in the back room; I went forward into a front room, raised the window and looked out; I saw a mass across the way at the hall-door of No. 59; I heard some loud talking; I could not ascertain what it was about, but I saw a man shoved down upon the curbstone; his name was James Callahan; I do not know who knocked him down; the officers took him up as a prisoner; I then heard Mr. Holmes say, "Go along with them quietly, Jim, and I will attend to you in the morning;" further Holmes said, "I was the cause of putting that d—d scoundrel Sheehan on the police, and now he has taken away my friend; I will have him broke;" they took Callahan to the station-house; Holmes went to his own stoop, and said, "I am on my own premises, and don't regard any of you;" Holmes afterwards went into Maloney's bar; that I saw him standing in the middle of the street; the two policemen came down the street, running; they made a rush for Holmes; I could not hear anything that they said; as they rushed towards him, he backed across the street, towards where I was; I then saw his hat knocked off, and heard the sound of a blow; it staggered Holmes a little to his right; then as he was getting on the curbstone, I saw one of the officers raise his club, and strike him on the head; his staggered back, and fell; he was followed by the policemen; I put my head further out of the window; I heard a scream; Mrs. Collins, and her little girl, and I, sat together in the window; she went towards the hall, and we heard a noise there; Holmes was going up stairs, and the policemen were following him.

Cross-examined by ex-Judge Beebe.—I am in the liquor-trade; I keep a boarding-house at No. 17 Washington-street; I went to see Mrs. Collins on business; when I heard the noise, I watched to see what was going on; the crowd did not continue at No. 59, until the officers returned from the station-house, but scattered around; it was 12 o'clock, or after; I saw Mr. Holmes' hat fall off; it was knocked off; I cannot tell who struck it; I saw Holmes up stairs; I held a candle for him to draw his will; I commenced writing for him, but he fell into a fit, and I could not proceed; I was not on the same political side as Mr. Holmes was.

By Judge Beebe—I do not know what Gourley's politics were; I believe he was a Whig; I have heard it said he was, but I do not know.

ADDITIONAL EVIDENCE FOR THE PROSECUTION.

Michael Halpin examined by Judge Beebe for the prosecution—I am Captain of the First Ward Police; I was in company with Gourley on the night of Nov. 3; from 6 o'clock till near 11; I saw him perhaps sixteen times between those hours; he was perfectly sober.

Cross-examined—I saw Gourley perhaps forty times that night; he was not out of my sight ten minutes, between 6 and 11 o'clock; I was opposed to the Diamond party; I never understood that Mr. Holmes was a candidate for Alderman, and had withdrawn in favor of Mr. Dimond; I had heard that the Holmes party had their headquarters at No. 59 Greenwich-street; I patrolled with Gourley the better part of the time between 7 and 11 o'clock; I do not believe I went into any house during that time; I know of a subscription being raised in the First Ward Station-house to pay counsel to prosecute Mr. Holmes; I got it up and recommended the men to subscribe; I gave some directions the next morning about removing Mr. Holmes from the station-house in Trinity-place to the Old Slip Station-house; I did not say, "Drag the d—d fellow through the streets; don't wait for a carriage; it is good enough for a murderer;" I do not recollect whether Mr. Holmes complained to me that he had been dragged through the street, and whacking I said to him, "It was good enough for a murderer;" I did not say to him, "I would rather have you here than have all the votes in the Ward;" I did not threaten Holmes a carriage; I told him he might have one if he would pay for it; I did not order the men to drag him through the streets; I am not certain whether I drank anything that night or not; I did not see Gourley after 11 o'clock.

EVIDENCE FOR THE DEFENCE.

Patrick Sculler, examined by Judge Beebe—I am a door-keeper at Trinity-place Station-House; I remember the night Gourley was stabbed; I was at the station-house when Callahan was brought in by Gourley and Sheehan; they were there about fifteen minutes; Gourley was perfectly sober; I smelled liquor on him; I did not take notice of Sheehan's condition.

Officer Hill, examined by ex-Judge Beebe—I am a police officer of the First Ward; I was in company with Sheehan on the morning of Nov. 4, after the stabbing of Gourley; he was perfectly sober; I assisted to carry Gourley to the station-house; there were no signs or smell of liquor about him.

Officer Marshall, examined by ex-Judge Beebe—I was in company with Sheehan from 1 to 11 o'clock; he was quite sober.

John Dalton, examined for the defence—I am Second Lieutenant of the First District Police; I was in the Old-slip Station-House on the morning of Nov. 4; I heard the orders given by Captain Halpin about bringing Mr. Holmes from the Trinity-place Station-House; I saw the officers who were bringing the prisoners from the other Station-House; somebody said they were all brought but Mr. Holmes; Capt. Halpin asked why he was not brought as well as the rest; one of the officers said he was waiting for clothes and a carriage; Capt. Halpin gave orders to the officers to go and drag him over here; there; I was there when Mr. Holmes was brought in; I heard Mr. Holmes complain about the manner in which he was brought to the station-house; Capt. Halpin said something—*I do not remember what* —in reply.

Cross-examined by ex-Judge Beebe—I have had hard feelings against Captain Halpin; I have preferred charges against him; I cannot say who was in the station-house, when Captain Halpin gave orders to drag Holmes along the street.

Timothy Ryan, examined for the defence—I am a policeman of the First Ward; I was in the station-house when Mr. Holmes was brought there, and when he was taken away to the Old-slip Station-House; I walked behind him and the officer; there was a carriage ordered to take him in; the officers would not wait for it; they said they had orders to take him, and they would do it.

The evidence here closed, and Mr. Whiting for defence proceeded to sum up in an eloquent and effective speech.

The summing up of ex-Judge Beebe for the prosecution was admirable. We regret that the numerous claims upon our space prevent our giving even a brief outline, either of the speeches for the defence or for the prosecution.

Judge Stuart, in charging the Jury, said that he would detain them but a brief time. It was not the duty of the Court to discuss or canvass evidence; that was a consideration for the Jury alone. They were to receive the testimony from the mouths of the witnesses, and to determine thereby the guilt or innocence of the accused. Except to determine whether the evidence was legitimate and legal, the Court had nothing to do with it. The evidence was wholly for the Jury; the law by which they were to be governed was for the Court to pronounce. His Honor entered into a consideration of the case. It was indeed an important case—important to the public, important to the defendant; embracing, also, important issues of law. The Judge then read the statute setting forth the nature and the different degrees of manslaughter. For their consideration was first offered the question: Did the defendant take the life of the deceased? If so, was the killing without excuse? or, under all the circumstances of the case might he be excused? If the officers were acting illegally in making the first arrest, then he would be excused in his interference to save his friend. Were then the policemen justified in entering Mrs. Maloney's house? If there was a disturbance at that house, amounting to an affray,—a great noise which disturbed the neighbors and broke the peace of the neighborhood, or such tumult and clamor as endangered or terrified a breach of the peace,—then the officers were justified in entering to suppress the disturbance. But if the persons in that house were merely talking loud, but not acting boisterously, disorderly, tumultuously, and not in any manner disturbing the neighborhood, the policemen had no right to go in and make an arrest. If they did so, under those circumstances, they committed a trespass. If they had no right to go in, and yet went in, and were proceeding to convey an inmate to prison, especially with violence, then Mr. Holmes may be excused for his interposition to save a friend from personal violence by the officers. While he was not required to interfere, still the protection of a friend, if not in the wrong, was not a criminal act. They had to consider whether there was a noise at Maloney's tending to disturb the peace; calculated to draw together a congregation of persons. In such case, the officers were required to interfere, but not otherwise. This was a matter for serious consideration.

The arrest of Holmes would not be justifiable, if the first arrest was not justifiable. If there was a breach of the peace when he interfered, then his arrest was justifiable, even after the officers returned from the station-house to make it. If there was not, then they were wrong in their conduct, and they had no authority to take him. If he resisted, the question is, not whether he had better have submitted—there arose a question of higher importance. Was he bound to surrender and go away with them? Had they the legal right to seize him? If not, and he set up his own natural right against their illegal arrest, it will be for you to say if he was not justified in what he did, and whether he stands, by law at least, wholly excusable. But, unless he was in immediate peril of loss of life, or of great personal danger, he cannot be excused in resorting to extreme means.

You have also to reconcile the conflicting testimony of witnesses, if you can. If you cannot, you must believe that which appears most credible. If any doubt arises in your minds, that doubt must be for the benefit of the accused. If you are entirely convinced that he was entirely wrong in his conduct, and in that wrong perpetrated this act, though with no intent to kill, yet he is responsible for the consequences. If, on the other hand, exercising the natural right which the laws of nature and of man equally justify, you will acquit him. Give a fair consideration to the whole of the evidence.

The above is but a very brief outline of the Judge's charge. Our limits preclude our giving it more in detail.

Seldom has such an array of legal talent appeared in a court of justice in this City as was presented at this trial. On the part of the prosecution was WELCOME R. BEEBE, Esq., late City Judge; for the defence were associated Mr. Recorder TALLMADGE, JAMES B. WHITING, Esq., ex-District Attorney, JOHN R. PHILLIPS, Esq., ex-Assistant District Attorney, and WILLIAM E. SCHEFFER, Esq. The trial was one of great interest, and was most heavenly conducted, both by the prosecution and the defence.

The Jury retired shortly after 5 o'clock, P. M., and at a late hour last night had not agreed upon a verdict. It was understood then they stood nine for conviction, and three for acquittal. The Court adjourned until 10 o'clock this morning.

Murder of George Weaver—Coroner's Inquest.

An inquest took place yesterday morning, before Coroner HILTON, touching the death of GEORGE WEAVER, (or WEBBER,) the young man who died at Ward's Island on the 6th instant, from the effects of an injury received while quietly standing at his own door, from the hand of a drunken Irish rowdy. WEBBER was buried without any notification to the Coroner. Justice Weste had, however, committed the two offenders, MALOY and MCNALLY, to prison. An order being sent yesterday to exhume the body, and the Jury having come to, assembled to-day at the Coroner's office, when the following evidence was adduced:

Justice Weste, officer of the Eleventh Ward, deposed, that on the evening of the 30th of March, about 11½ o'clock, he was in Eleventh-street, and saw two men coming out of No. 244, which is a porter-house; they seemed intoxicated; advised them to go home; Officer Fargo was in company with witness; after leaving the house the two men went into the middle of the street; they spoke together in English; thinking they intended to fight with each other, witness told his brother officer to watch them; the two, Lake and Fargo, stood in the shade of two or three wagons, accidentally there; after some conversation they stepped on the opposite sidewalk, where they seemed to be more peaceably inclined to each other; witness knew McNally who was one of the parties; did not know the other; he had since ascertained the other to be John Maloy; one said to the other, "Come, let us go up the street;" they then went up town towards Avenue B, on the southerly sidewalk where there is a bakehouse; two men, bakers employed there, were standing on the descent down into the bakehouse, with their backs towards *Maloy and McNally*, and in front of proceeding into the bakehouse; Maloy and McNally came up behind; Maloy raised his hand and threw what witness supposed to be a stone into the two bakers; witness heard the deceased holloa, and cry out "oh," or some noise indicating he was severely hurt; witness started in pursuit of the parties, who ran up the street; on Maloy passing into an entry-way he was arrested; tried to escape, and was led back to the front of the bakehouse; the deceased was then lying bleeding on the steps; he was bloody from a wound at the back of his head; deponent took *Maloy* to the station, and subsequently went back for the deceased, whom he found sensible, but stunned and *indisposed to talk*; he complained of being blind, unable to see; he walked to the station-house with assistance, and witness called for Dr. Nicholls, who came and dressed his head; the doctor said the wound was dangerous, and ordered him to be removed home and kept quiet; (witness produced a piece of stone spotted with blood and weighing about twelve ounces, found at the foot of the steps, which corresponded with and fitted accurately to another piece from Maloy's pocket;) he took this piece from his side pocket, and threw it down at the moment of his arrest; both prisoners were conveyed to the Third District Police Court next morning, where a charge of assault and battery with intent to kill was made before Justice Wood; the deceased was too unwell to appear; witness has twice been subpœnaed to appear at the Court of Special Sessions against the prisoners, when the charge was put off, in the first instance to wait the result of the inquiries, and in the second upon hearing of the death, the night previous, of the deceased; this was on last Tuesday, but in truth the death took place on the Friday previous.

Officer William Fargo gave corroborative testimony as far as to the throwing of the stone, which he did not witness.

Truman Nichells, M. D., No. 93 Columbia-street, deposed: That on the morning of 31st March, soon after midnight, he saw the deceased at the Eleventh Ward Station-house, bleeding under concussion of the brain; he had lost a large quantity of blood from a wound at the side and back part of the head; it was a wound of the scalp, two inches long, with fracture and marked depression of the corresponding part of the skull; witness saw the deceased next morning at his residence, No. 243 Eleventh-street, and then directed him to be sent to the Hospital.

Catharine Schrob, a married woman residing at No. 244 Eleventh-street, deposed that she was looking out of her window at the moment of the affray; saw the two prisoners come out of the porter-house, and knows them when she sees them; Maloy broke a stone in two pieces, and he picked up the largest piece.

(At this point the two prisoners, Maloy and McNally, were brought in, and the evidence of Mrs. Schrob was read over to them. Witness identified the prisoners respectively. In shown the stone produced by the policeman, Saw similar stones in the street the day before this affair, and similar pieces in the gutter next morning.)

The evidence of Officers Austin Lake and Wm. Fargo was then read to the prisoners, as well as that of Dr. Nichols.

Mr. Joseph Smith, landlord of the porter-house No. 244 Eleventh-street, deposed to the prisoners being at his house, asking for brandy, which was denied to them; they seemed intoxicated; knows McNally: he is a bad character; is very intemperate and very insulting; never saw Maloy previously; both were very insulting towards his wife; witness pushed them out of doors; *about three minutes afterwards, witness heard that they* had struck the baker with a stone.

Mrs. Elizabeth Becker, basket-maker, No. 243 Eleventh-street, and *Matthew Johnson*, proprietor of the bakery No. 243 Eleventh-street, added nothing very material to the inquiry.

Stoveridge Smith, M. D., house-surgeon of the Emigrant Hospital on Ward's Island, deposed: That *George Webber* was admitted on the morning of the 31st of March; he had a scalp wound in the left occipital region upon admission; he walked about, complained of no pain, and appeared unaffected by the injury; he continued in this condition until the morning of 4th April, when he was found suffering under symptoms of compression; he found was then enlarged and a slight depression of the bone perceived; the operation of trephining was then performed by Dr. Carmochan; a large portion of the inner table of the skull was found projecting into the brain; this was removed; the operation only partially relieved him, and he died a little after midnight on the morning of the 5th inst. [The Doctor here produced the portions of bone removed by the trephine.] A *post mortem* examination was instituted on the 6th, in presence of the medical staff of the hospital; the *dura mater* and membranes of the brain were found lacerated by the portion of bone which had been driven in; the posterior lobe of the left hemisphere was also lacerated, and surrounding the seat of the injury the cerebral was found to be excessively inflamed and softened; a small quantity of purulent matter was found in the brain at the seat of the injury; the whole of the posterior and middle lobes of the left hemisphere were found more vascular than usual, and in a soft and pulpy condition; two ounces of serum were found in the lateral ventricles; the membranes investing the brain were inflamed; the other organs of the body were healthy; in opinion of this deponent death was produced by fracture of the skull and its consequences, laceration and inflamation of the brain.

(On being shown the stone, the Doctor thought it a likely body to produce such injury.)

The deceased seemed reserved, and as if anxious to conceal the cause of the injury, but admitted he had been knocked down with a stone; gave a certificate of the cause of death, which stated death to arise from fracture of the cranium; it is a practice of the institution to give such certificates, unless some special information prevents it; on such certificates the bodies of deceased patients are buried; in this case the Warden, Mr. Charles Riddle, was notified and asked if it were a proper case for the Coroner, but he replied that he had no information on the subject; the Warden was told by the witness of all he knew in the matter; D. M. Carmochan has the principal superintendence of the surgical department; I think bodies are buried before the certificate of death are filed in the City Inspectors Office; there is a regular undertaker (Mr. Webb) for Potter's Field, but he has no connection with the Hospital.

James H. Hyatt, M. D., testified that he is superintendent of the Bureau of Registry and Statistics in the City Inspector's Office; they receive their "certificates of death" from Ward's Island every Saturday morning; has no recollection of receiving any returns stating the cause of death to be or injury violence; the return of this death has not yet been made at the office.

The Coroner recapitulated the evidence, both direct and circumstantial. There is a man, said he, dead and buried; the institution whither he was sent are State officers, acting under special laws. But they have no *authority to* break the common law of the land, namely, that no physician shall give a certificate for interment in such cases as the present. The deceased stated to Dr. Smith "that he was knocked down by a stone." It was the Doctor's duty to report the case to the proper authorities. There was evidently some doubt in the Doctor's mind or he would not have reported it to the Warden. It was the duty of the officials to report that case to the Coroner's office. Their verdict makes no man guilty. It holds for further investigation. Had it not been for the vigilance of a creditable police this case would never have been investigated, though the sufferer was undoubtedly killed. The body has been disinterred, having been buried without inquiry. The evidence reduced no credit on the manner in which the Commissioners of Emigration do their duty. The Coroner briefly reviewed Dr. Smith's evidence, and stating the law relating to complicity, (as affecting McNally,) he left the question to the Jury.

After being absent, the Jury returned the following verdict:

GEORGE WEBBER came to his death by fracture of the skull, from a stone thrown at him by JOHN MALOY; also, that ANDREW MCANALLY was accessory to the fact. Further, we respectfully refer the further investigation of the circumstances connected with the burial of the deceased to the Board of Commissioners of Emigration.

A Fraud Exposed.

AUGUST MEYER, a German, made a complaint at the Mayor's Office yesterday charging before Justice OSBORNE against the keepers of an office at No. 164 Greenwich-street. The complainant stated that he arrived a passenger from Bremen on board the ship *Hildesia*, and was taken in tow by a man named FISCHBECK, a countryman of his own, who persuaded him to take up his board at the house of the defendants, and to go with him to Louisville, and took him to the above office for the purpose of purchasing a ticket. He was informed there that the tickets would cost $16 each. Complainant handed his pocket-book to MUELLER for the purpose of getting the money to pay for the three tickets, and discovered upon returning to his residence, that $72 instead of $48 were taken therefrom. In consequence of which he required to the said office; and after considerable difficulty, succeeded in recovering $36 from the clerk.

The keepers of establishment and two friends were subsequently taken to the Pier of the People's Line and weighed, upon which they were obliged to pay $66 extra freight. The thieves first supplied them with clothes taken from them and others given in their place; which, upon arriving in Buffalo, they found to be of no further value, and were necessarily obliged to purchase fresh ones, for which they paid $10 66. The complainant now alleges that he has returned to this City for the purpose of prosecuting the firm of Hossin & Co., the keepers of said office, and hopes that the Mayor will deal with the matter promptly.

New Paddle-Wheels for Boats.

The action and efficiency of a new kind of paddle-wheel for boats, recently patented, was yesterday tested by a thorough public trial. A small boat, 28 feet by 7, with a steam-engine of three horse power and the new kind of wheels attached, made a trip from the foot of Twelfth-street, East River, to Harlem Bridge and back. The boat ran to the bridge, against a heavy tide and head wind, in fifty minutes. In returning, a slight breakage occurring to the engine, the question of speed was not considered. A dozen persons joined in the experimental excursion, and expressed entire satisfaction at the result of the trial. The paddle-wheels, it is alleged, differ from wheels in ordinary use in these essentials: with a given power, first producing one-third more propelling force; secondly, lessening almost wholly the resistance of water to produce retrograde movement; and lastly, doing away entirely with the pressure note and jar of motion given to the boat. Their construction is very simple, the paddles being attached two by two, at intervals varying according to the size, to the periphery of the wheel, so as to form an obtuse angle, with *flexible* hinges, to allow facility of reverse motion. It is claimed that with these paddles larger steamers may be propelled thirty miles an hour with one-third less steam-power and a consequent like deduction in the quantity of fuel requisite.

Tours Literary Institute Ball.

A Ball was given on Wednesday evening at the Chinese Assembly Rooms for the benefit of the Tours Literary Institute. The attendance was large, and must have resulted in essential "material aid" to the young Institute. The formation of this Institute is the first effort of the kind made in this country. The ball on Wednesday evening and indeed every effort for the sustenance of this novel but most praiseworthy enterprise, we are happy to note have been marked with unbounded liberality of support. At the supper on Wednesday evening, remarks were made by the President acknowledging the cordiality to which their appeals for sustenance had been responded. It was hoped, he said, to place the Institute in a short time on a reliable and self-sustaining basis. Dancing was resumed after supper and continued with glat till long after the "wee small hours."

Shop Lifting.

A lad of respectable appearance, named JACOB WEILER, was yesterday taken before Justice OSBORNE by officer COMSTOCK, of the Reserve Corps, on a charge of stealing two packages of silk handkerchiefs of the value of $21, from the store of CRITTENDEN & Co., corner of Broadway and Bleecker-street. He entered the premises under the pretext of selling pencils, and upon leaving was observed by a young man named GALE, to take and secrete the packages.

The accused was committed.

LONG ISLAND.

Industrial School Association of Brooklyn.

One year ago this Association was organized in the City of Brooklyn, under the general act passed one year ago last March. The children aided by this Association are a much lower and poorer class than usually attend the Public Schools, and would not attend any school whatever, unless sought out by self-denying missionaries and brought out of their filthy houses and placed in a school provided expressly for them. Many of these children are found destitute of decent clothes, and without means to procure them, or even to obtain necessary food, except by street begging, and their personal appearance and condition so disgustingly filthy, as to make them unfit subjects for our Public Schools. During the year past there have been several instances where children have been taken into, and are now in the Schools, who had been previously refused admittance into the Public Schools on account of their squalid condition. In other instances, where it was thought some of these children were possibly fit for the these schools, the ladies connected with this Association have furnished them with books and sent them to school. During the past month thirty-nine were thus sent. Books were furnished to most of this number. Since the organization of the school $2,760 12 have been contributed to its support, $1,977 61 of which has been paid out, leaving a balance in the treasury of $787 62.

The Association has now two schools in operation—one in Concord-street, near the City Farm, numbering *196 children, and the other in Huntington-street*, numbering 100 more. Twenty-two children are first taken in charge, they are literally washed, and their clothes *are burned, and they are required and obliged afterwards* to be neat and tidy in their persons and habits. A warm dinner is provided for them at the school rooms daily, and they are also furnished with comfortable clothing, and instructed in the common branches of education. The girls are taught to sew and to do housework, to prepare them to become seamstresses and good domestics.

The churches of every denomination are engaged in this enterprise, and are working for a common cause in the utmost harmony, and contribute liberally from their means.

Preparing for the Maine Law.

Since the passage of the prohibitory liquor law, a large number of liquor dealers in Brooklyn have advertised their premises "To let." There will be but little difficulty in enforcing the law in this city.

Meteorology.

WILLIAMSTOWN, Wednesday, April 4, 1855.

Correspondence of the New-York Daily Times.

The following Meteorological Observations were made at Williams College Observatory, from the 19th to the 31st of March, 1855:

Day.	Hour.	Therm.	Barom.	Wind.	
19th	7	47	29.38	N. W.	Light breeze. [snow.
20th	7	27.5	29.10	N. W.	Stormy wind; little
21st	7	20.	29.35	W.	Strong wind.
22d	7	19.	29.49	W.	Calm. [snow.
23d	7	21.	29.01	S. W.	Moderate breeze;
24th	7	30.5	29.63	W.	Light breeze; snow.
25th	7	17.5		N. W.	Gale.
26th	7	27.	29.94	W.	Light breeze; snow.
27th	7	27.	29.71	S. W.	Moderate wind.
28th	7	32.	29.63	N. W.	Gale.
29th	7	25.	29.69	N. W.	Gale; little snow.
30th	7	28.	29.19	N.	Strong wind.
31st	7	31.	29.23	W.	

The Spring here has been unusually cold. For two or three days previous to the 1st inst., the weather was very mild. On the 1st April, there arose a storm wind, which continued through Monday, and was accompanied by a light fall of snow.

On Monday night there was a destructive fire at Powhal, east of Williamstown. One cotton factory, one grist mill, and six dwelling houses were burnt.

MARKET REPORTS.

Markets... *Carefully Reported for the New-York Times.*
THURSDAY, April 19—8 P. M.

ASHES—Continue as last noticed, with a limited business doing at $6 12½ for Pearls, and $5 for Pots, ₹ 100 lbs.

COFFEE—The demand has continued pretty brisk, mainly for export, and prices have been well supported. The sales since our last include 600 bags Rio, at 11c.@ 11¼c.; 100 Maracaibo at 11¼c.@11¾c; 7,000 St. Domingo, for export, 9 9½c. and 200 do at 9½c. ₹ lb.

COTTON—The market is more active, and prices are buoyant. The day's sales have exceeded 2,000 bales. There is now but little disposition to part with cotton at our old quotations, some owners claiming 10.@10c. ₹ lb. more.

NEW-YORK CLASSIFICATION.

	Upland.	Florida.	Mobile.	New-Orleans and Texas.
Ordinary	8½	8½	8½	8½
Middling	9½	9½	9½	9½
Middling Fair	10½	10½	10½	10½
Fair	10½	10½	11½	11½

FLOUR AND MEAL—State and Western brands are essentially unaltered. The home inquiry is fair, and is mainly for the low and medium qualities, those being about the only kinds which are obtainable at rates satisfactory to the means of purchasers. The better grades are too rare and too dear to be freely dealt in. Shippers remain comparatively idle. The day's sales add up 4,500 bbls. We quote:

Ordinary State	8 43@8	50
Straight Brands	8 50@8	62½
Favorite Brands	8 62½@8	75
Mixed Western	8 37½@8	50
Common to Good Indiana and Michigan	8 25@8	37½
Fancy Michigan	8 37½@8	50
Common to Good Ohio	8 37½@8	50
Fancy Ohio	8 50@8	62½
Extra Ohio	8 62½@8	75
Extra Indiana and Michigan	8 75@9	00
Fancy Genesee	8 62½@8	75
Extra Genesee	8 75@9	00

Canadian is coming forward more freely, but with a good demand, prices are unchanged. The day's sales amount to 2,000 bbls. at $8 62½@8 75 for Common to extra. Rye flour is steady, with a moderate enquiry after, and is generally firm,—the day's transactions embracing 1,000 bbls. at $5@5 62½, for mixed to favorite; and $10 @$11 12 for fancy and extra. Corn meal is dull and heavy. Sales of 200 bbls. Brandywine at $4 62½ ₹ bbl. Rye flour is at $4 87½@5 00, and Corn Meal at $4 62½ ₹ bbl.

GRAIN—Wheat is still quite scarce and held above the views of buyers. No sales transpired to-day. Rye is in better supply and is nominally quoted at $1 08@ $1 10 ₹ bushel, without sales of importance. Barley is dull and heavy at $1 20@1 25 ₹ bushel. A parcel of 1,000 bushels Barley Malt brought $1 15 ₹ bushel—an extreme rate. Oats are more inquired for, and are now worth 70c.@72c. for State and Western; and 69c. @70c. for Jersey and Southern, ₹ bushel. The country offers in better form. Corn, on the spot, is not abundant, and is quiet but firm; while for future delivery a better demand prevails at, however, irregular prices. The day's sales comprise 37,000 bushels, here, at $1 07@1 08 for Southern white and yellow, ₹ bushel; and over 20,000 bushels Southern, &c., to arrive, on terms not ascertained.

HAY—The receipts are falling off and the stock is decreasing. Sales of 600 bales River were effected, today, at $1, for shipment and $1 12½@1 18¾ for local use, ₹ ton.

HOPS—There is more doing in last year's crop at 15c. @21c. ₹ lb., according to quality.

IRON—About 100 tons Scotch Pig changed hands, today, at $32@33, usual terms, ₹ ton.

LATH—Eastern are more sought after at $2 06@ $2 12½, mostly at the latter rate ₹ thousand. The supply is moderate.

LIME—Rockland is salable and steady at $1 for common and $1 12½ for Lump, ₹ bbl.

MOLASSES—We have only to notice sales of 120 bbls. New-Orleans at 30c.@32c. ₹ gallon.

NAVAL STORES—Crude is still quiet, being held above the views of buyers. Sales of 150 bbls. Spirits Turpentine were made at 42c.@42½c. cash, ₹ gallon. There is less of it arriving and holders are rather firmer. Rosins are quiet and unchanged. Sales of 200 bbls. Common were purchased at $1 05 ₹ 310 lbs., delivered.

OILS—Whale, Sperm and Olive are unaltered. Linseed is less abundant and is selling at 89c. in barge, and 89c.@93c. in small lots, ₹ gallon. Lard Oil is retailing at former rates.

PROVISIONS—Pork is in improved demand, at advanced prices—the day's sales consisting of 2,

New-York Daily Times.

NEW-YORK, FRIDAY, APRIL 13, 1855.

To Correspondents.

Anonymous communications, and communications on account, will neither be published nor noticed. All communications intended for insertion must be authenticated by the name and address of the writer. We cannot undertake to return communications that may be sent us for publication.

Voluntary correspondence containing important news from all quarters of the world, is solicited. If used, it will be liberally paid for.

Four Days Later.

In the absence of our telegraphic summary from the Cunard steamer due at Halifax, we have four days' later news from Europe by the *Washington* at this port, from Bremen and Southampton, to Wednesday, March 28. It is not decisive. The Vienna Conferences, though said to be going on satisfactorily, have developed so little information of a reliable character, as to affect the public mind in England in no respect different from the first reassembling of the Great Powers after the death of the Emperor NICHOLAS. In France, judging from the tone of the Paris Bourse, the hopes of peace are stronger; though it is possible that a sudden change in the programme of the personal movements of LOUIS NAPOLEON, advised by this arrival, has quite as much to do with the rise in the Funds. It is said that he goes *not* immediately to the Crimea, but early in the present month, with his Empress, is to visit Queen VICTORIA. He may go to the Crimea afterwards, if peace should not result from the Vienna meeting. Upon *that* everything seems now to turn, rather than the fall of Sebastopol, which, if not given over, in the minds of the people on both sides the Channel, as a hard job, is regarded as one of no probable immediate accomplishment. The advices from the siege are not important. Another formidable demonstration is reported to have taken place on the 17th March, but no particulars are yet afforded.

The Cuban Crisis.

To-day, according to the formal announcement in the Washington *Union*, Commodore MCCAULEY—having received his instructions from the President—sails in the steamer *San Jacinto*, for the Gulf. This we take to be another evidence that the President has not receded, and will not recede, from his bold determination of several days' since, to bring on the crisis in our Spanish relations, unless Spain herself shrinks therefrom. The time for such a movement is propitious. At the worst, the problem may be solved now with little difficulty. Four days' later intelligence from Europe exhibits England and France quite as deeply involved in the Eastern War as ever. Sebastopol still stands, and defies its besiegers. The heart of the two nations continues to throb, not only with agonising fears for the fate of thousands of gallant spirits whose lives are wasting in the Crimea, but also with dread forebodings as to the final result of the terrible struggle. Vienna, so far, sheds scarce a peaceful ray of hope over the dark future. The negotiations progress with the snail's pace, while disease and death roll their destructive chariots at furious speed adown the devoted lines of the allied armies, and there is no promise of early relief. This is no time for Spain to expect the slightest aid from England and France in her attempts to create new law for the United States; and our duty of self-vindication is thus relieved of nearly all its danger and cost.

The time is propitious, as it is fully ripe. Decisive, but just and lawful measures now, compelling Spain to mend her ways and abandon her mischievous reliance for support upon a European Protectorate, will *save* a war. Another three months of shiftless, temporizing policy on the part of the American Executive, and war—long, tedious, demoralizing and expensive, might be inevitable. Single-handed and alone as Spain must now be, she could not long maintain a struggle with us; and she *will* not, because a week of war would lose her Cuba. And, if mad enough to attempt the struggle, when her island is lost to her her great resource is gone, and her treasury not only bankrupt, but without the slightest basis of credit upon which to replenish it. The struggle at the worst, then, can be but a short one; and insane as Spain's course has been, we cannot believe she is mad enough to meet it at all when she finds it approaching.

We look in vain in the Press of the country for any sound argument against the proposed resistance to the right of search. The sum total of the objections seem to be mere reflections upon the President's motives, and charges that his object is the acquisition of Cuba, which he hopes will retrieve his failing fortunes. No one seriously attempts argument in vindication of the Right of Search on the High Seas; but we are told that the President's resistance of the attempted exercise of that asserted Right, springs from his cupidity or selfishness, and not from patriotism. Well, we will not gainsay all that. It is unnecessary to argue the point. Until the *act* of the Executive is shown to be an improper one, it is scarcely worth while to cavil about the motive which prompts it. If that *act* is right, then the act should be sustained by the country, because it *is* right, and not because of the wishes and motives of a mere President. Principle is paramount to anything and everything else, and is not to be dragged down to the level of man's selfishness, even though man is shrewd enough to place himself in such relation to the Principle as will enable him to gain some personal advantage from its enunciation.

We commend with due reverence—to those who are thus cavilling at the President's motives, while they fail to offer argument against his acts—the example of the Apostle Paul, who—in his Epistle to the Philippians, after stating that some preached Christ from envy and strife, some of good will, some of contention, and others of love—thus concludes:

"What then? Notwithstanding, every way, whether in pretence or in truth, *Christ is preached*; and *I therein do rejoice, yea, and will rejoice.*"

There is sound philosophy and plain practical common sense in this declaration of the Apostle's, which may be applied with advantage to the case in hand. If, as a nation, we are to sustain the principle for which we fought in 1812,—if that principle is a true one, and the President seeks to maintain it, common sense and common patriotism bid us stand by him, and not evade the assertion of the principle lest the Executive hopes to profit personally by that assertion. Nor can the man who loves his country better than his party, refuse to support the President in all wise efforts to maintain the honor of the nation, from the fear that such action by the Executive will redound to his party success.

The Fleet—What is Expected of it.

We find there is much uncertain speculation in the public mind, as to what will be the action of the Gulf squadron under Commodore MCCAULEY. Many suppose the Commodore is going at once to Havana, to knock the "Moro" about the ears of CONCHA, unless he puts on a very conciliatory air, instanter. Others suppose his force is to cruise in the Gulf, and give action to the Spanish war vessels, just when and where he can find any of them, unless peremptory demands for redress of past grievances are promptly acceded to.

Of course we cannot speak advisedly of the precise orders which MCCAULEY carries out, in all their details; but it is safe to suppose that the President has not attempted to delegate to him the war-making power,—for he does not possess that himself. In other words, we do not suppose the Commodore has orders to go to Havana, make demands, and then open his batteries upon the town if those demands are not complied with. Such a course might be taken in an emergency, like that of the KOSZTA case, where instant action is necessary to protect an American citizen, or American interests, from a contemplated wrong, but not otherwise. If a Spanish cruiser brings an American merchantman to on the high seas and searches her, our squadron, in the exercise of its duty to protect our commerce, may sail up, and on the spot resent the outrage in the most emphatic manner. But it is not so clear that our ships of war can be rightfully dispatched to avenge acts of aggression committed in the past. The case is somewhat like that of an individual who, when assailed, is entitled to strike vigorously on the instant in self-defence, but cannot, after the occasion has passed, undertake to retaliate upon his assailant, without violation of the peace and the law. True, the San Juan bombardment may be cited as an evidence of what *can* be done inconsistently with this view; but that is an exceptional case, not likely to find its counterpart in any other act of this Administration.

Our squadron, then, will not be likely to make any hostile demonstration, except the Spanish cruisers renew their attempts at searching our merchantmen, *after* its arrival in the Gulf. As to the probability that an opportunity will be given Commodore MCCAULEY to burn his powder, now that the Spanish authorities are notified of our purposes, the reader can judge for himself. It certainly is scarcely to be expected of men in their senses; and if such opportunity is not afforded, of course no hostile demonstration on our part is to be anticipated,—and the President, after all, will fail to bring our relations with Spain to the desired crisis. In that event it is not impossible that the Executive may fall upon another plan of bringing on the issue which must be made sooner or later, and which it is best for all parties should be made now. This plan is one which we have reason to know has been considered at Washington, but was rejected for that of resenting on the spot the indignities to our merchantmen. This plan is to send to Havana and demand of the Captain General instant reparation there for recent acts of outrage and oppression; and, upon CONCHA's reference of the matter to Madrid, to blockade Havana, Matanzas and other of the principal Cuban ports, and hold them as hostages for the prompt action of the Spanish crown. A blockade, of course, would suspend all business upon the island, which never has on hand more than a fortnight's supplies of flour for consumption, or of lumber for the manufacture of sugar boxes, or for any other purpose. The effect would be to bring everything in the way of business to a stand still; idleness and discontent would speedily manifest themselves, and the suffering and confusion would be quite sure to furnish the desired occasion for a popular revolution against the Government whose unwise acts had brought such difficulties upon its subjects. The island revolutionized and independent, the United States would be relieved from its responsibility and its war; so that, in every event, it seems to us there is little occasion for a war panic, notwithstanding the uncertain state of Spanish affairs.

Our Neutrality Laws, and the "British American Manifesto."

The defence of Sir GASPARD LE MARCHANT, Lieut. Governor of Nova Scotia, by "A British American," which appeared in our columns yesterday, has a sort of semi-official appearance, and whether it emanates from an authoritative source or not, contains the substance of what can be said in favor of the late ludicrous scheme of England of recruiting soldiers for the Russian war in American cities.

This manifesto betrays some ignorance of the laws of the United States and England, and makes a very weak appeal to the "intelligence and common sense of the American people." The act of Congress, of which the manifesto complains, is not at all an introduction of any novel principle, but simply a solemn reaffirmation, on the part of the American people, of their adherence to that law of nations which forbids such unauthorized acts as the manifesto would be pleased to see permitted, notwithstanding the fact that they violate the sovereignty of a neutral nation. Great Britain, by an act of Parliament, passed in the reign of the Third GEORGE, called the "Foreign Enlistment Act," in a similar manner prohibited enlistments and equipments within the King's dominions for warlike purposes in foreign states. And we believe Acts of a like character are common everywhere, being enacted on the very plain principle that a nation claiming to be neutral should not permit in its territory any act for the augmentation of the warlike resources and armies of either of the belligerents. Moreover the laws in question do not prevent "any old soldier who has drifted within our borders, or a Frenchman, Hungarian, Pole, or even an American, from volunteering, and of his own motion going out of the country to enlist in the army of a belligerent, if he chooses to do so.

The words of the act are:

"That if any person shall, within the territory or jurisdiction of the United States, enlist or enter himself, or hire or retain another person to enlist or enter himself, or to go beyond the limits or jurisdiction of the United States with intent to be enlisted or entered in the service of any foreign prince, State, colony, district or people as a soldier, or as a mariner or seaman on board of any vessel of war, letter of marque, or privateer, every person so offending shall be deemed guilty of a high misdemeanor, and shall be fined not exceeding one thousand dollars, and be imprisoned not exceeding three years."

Then follows a proviso which permits a citizen of a foreign State, transiently within the United States, to enlist himself or hire another in the same position with himself to enlist himself on board of any vessel of war, which at the time of its arrival within the United States was equipped as such—the vessel belonging to a State at peace with us, and of which the enlistor and those he enlists are subjects, transiently within our limits.

It will be seen, therefore, that we have no law whatever which forbids an American, much less a foreigner, from leaving our shores of his own motion and in his individual character, and going to any quarter of the world that he may choose to go to. It is the soliciting and hiring others to go, or enlisting ourselves within our limits which constitutes the offence. The United States have nothing to do, unless they should choose to enter into treaty stipulations with other States on that subject, with the coming or going of private persons, citizens or otherwise, or with their secret motives and intentions. As long as our neutral territory is not made the theatre of the acceptance of military commissions or of enlistments, or of procuring others to enlist or of inducing others to go out of the country to enlist in the service of a foreign State, our Government rest content. But our own self-respect, as well as our regard to the laws of our country, and of nations, forbids that we should tolerate on our neutral territory the presence of one of two belligerents, soliciting and engaging our people to go abroad for warlike purposes. We believe there are now two Americans in the service of Russia;—for aught we know there may be a hundred in the service of the Allies. For thus entering into foreign service, beyond and out of our jurisdiction, we are not aware that they have incurred any penalty under the laws of their country.

There is a marked distinction—which we commend to the notice of the British Government—between the perfect liberty which we grant to our citizens and the absolute prohibition which we impose upon foreigners, as well as upon any of ourselves, from soliciting and hiring persons within the United States to go out of the country to take share in a contest in which they have neither lot nor part.

That Libel Between the Doctors.

We are happy to learn that the paragraph in the *Medical Gazette*, of which Dr. DRAPER complained as libelous, Dr. REESE takes an early opportunity to apologise for. The following statement is from the forthcoming number of his *Gazette*. Doctors are not wont to back entirely out of such scrapes, however, and readers will notice that while the apology is ample, there is visible in it a very little of the "*hit him again.*" Dr. REESE says:

In our last number, a correspondent was allowed to say, in offering reasons for Dr. MOTT's restoration to the Presidency of the University Medical School of this City, that "the present head is not a medical man, has had no medical education, and is only called M. D. *ex gratia* by the honorary degree conferred on him by this identical school over which he now presides."

Supposing this statement of facts to be accurate, we inserted the article, and were surprised a few days after by the information that Dr. DRAPER had graduated at the University of Pennsylvania in 1836, and received his medical degree, with the compliment of the publication of his thesis by the Faculty.

Notwithstanding this state of facts was as new to us as it will be to our readers, we instantly wrote to Prof. DRAPER, regretting the injustice which had been done him, and assuring him that in our next number in May ample reparation should be made for our inadvertence by a correction of the error of our correspondent, in terms which could not fail to be satisfactory.

What was our surprise, a few days afterwards, to learn that Dr. DRAPER had seized the occasion to issue a circular to his friends, announcing a document which he says we "refused to sign," on which account he threatens us with a "libel suit." In the statement that we *refused to sign* this or any other document, he grossly *libels us*, for he knows that we never saw or read a single line of the "document" he prints; but that he had in his possession our letter, spontaneously written from the promptings of "the golden rule," assuring him of our sensibility to the wrong done him unintentionally, and proffering ample reparation in the next issue of the *Journal*. He has chosen his course, however, and we only regret that his reason for appealing to the law for redress happens to be false. * * * We yield much to courtesy, but nothing to intimidation.

Musical.

ACADEMY OF MUSIC.—"William Tell" will be given to-night for the third time. Our readers must not forget that the performances commence at 7½ instead of 8 as heretofore.

GERMAN OPERA.—FLOTOW'S early work, "Tandelin," was performed here last night. A considerable disappointment was experienced from the announcement that Mad. D'ORMY was indisposed, and would not be able to sustain the role of the hero. A gentleman, (who, we believe, was a member of the chorus,) volunteered at the last moment to fill her place. The following analysis of the plot contains the points of the libretto:

Strudella, a musical celebrity, professionally engaged for the musical education of Leonore, the ward of Basil, an Italian Nobleman, fascinates his pupil to a tender attachment for him. They elope, and Basil, enraged at this, and determined to be revenged, hires two assassins to slay Strudella. They overtake the fugitives at Strudella's country seat, where, while watching for an opportunity to carry out the foul deed, they hear him sing and are charmed to a feeling of pity for him; they therefore send a warning to the effect. Basil, who enters to see whether his will has been executed, forgives his ward. The assassins, having previously received their hire, and glad to be released from their promise, join in the rejoicings of this happy termination.

Everything depends on the excellence of the tenor—even the plot. Mr. LICHTHALL, the volunteer referred to, deserved more applause—certainly more leniency—than he received; but, from timidity and other causes, was unable to throw around the character of Strudella a proper air of romance and fascination. Hence the Opera was not successful. Mr. LICHTHALL possesses a good voice, of limited range, and sentiment, to use it well. Considering the extremely unfavorable circumstances of his debut, and the allowance that should be made, we were more than satisfied with his effort. He is, even now, a better tenor than any of his predecessors—and, with study, may become a valuable member of the company.

Madame SIEBENBURG, as *Leonore*, sang artistically and with sweetness. By skillful management of a small voice this lady has become a favorite with the audience, and deservedly. The other characters were very inefficiently sustained.

We learn that this company will give one more entertainment only. After the present season other arrangements will probably be entered into, whereby we may have a good German opera permanently.

STATE AFFAIRS.

LEGISLATIVE PROCEEDINGS.

FROM AN OCCASIONAL CORRESPONDENT.

ALBANY, Thursday, April 12, 1855—P. M.

The Legislature has finally adopted precisely the financial expedient which I foreshadowed in my letter of Saturday last. They have decided upon a tax of *a mill and a quarter* to be paid into the General Fund; out of this $330,000 is appropriated towards paying the interest that may fall due on the General Fund Debt, and which the General Fund Debt Sinking Fund may be unable to meet;—but this is to be refunded as soon as the Canal Revenues will permit. The project of supplying the deficiencies in the Sinking Fund, either by tolling Railroads or by direct tax, is abandoned.

This result has not been reached without a severe struggle. There were many Whigs who were anxious to toll Railroads, and who clung to that as the Administration measure, because it had been recommended by the Governor and endorsed by the Committee of Ways and Means. They refused, therefore, to go for any increase of the direct tax; and the bill when originally read in the Assembly on Tuesday only received 45 votes. Mr. BLATCHFORD immediately had the Supply bill recommitted, with instructions to strike out all the appropriations except those required for the immediate support of Government. The matter stood thus last night, when the Senate took up the rejected Assembly bill for a *mill and a quarter* tax and passed it. This morning Mr. BLATCHFORD reported the amended Supply bill, with all the charitable appropriations, extra pay of clerks, &c., &c., stricken out to the amount of $175,000. The Rochester Whigs having voted against the tax, the gigantic Rochester Claim appropriation, amounting to over $200,000, was also laid on the table.

Under this state of affairs the Senate bill came in,—was ordered to a third reading,—read and *passed*, receiving just 65 votes,—not one too many, but quite enough. The success of the measure is due to Mr. BLATCHFORD's resolute resistance to making appropriations which the Treasury was not in a condition to pay.

The Broadway Railroad bill is in the hands of the Senate's Railroad Committee. *It will not be disturbed.* I think two-thirds of each branch of the Legislature are in favor of a Railroad in Broadway;—but the circumstances under which the bill passed the Assembly created an odium which its friends are unwilling to meet.

The City Charter amendments and Police bills have also been laid aside,—rather out of deference to public sentiment in your City than from any conviction that they ought not to pass.

The bill for contracting the superintendence of the Canals may pass in an amended form, so as to authorize the Canal Board to let to the lowest responsible and competent bidder, if, in their discretion, it would be for the interest of the State. In this form the bill would be judicious.

The Legislature, I think, will adjourn Friday night. An attempt will be made to prolong the session until next week. Yours, &c.

Special Correspondence of the N. Y. Daily Times

ALBANY, Thursday, April 12, 1855.

Frequently interrupted by spirited and determined debates on motions to recommit, reconsider and to postpone, the business of the third reading of bills moves on slowly and uncertainly. Members grow anxious—the lobby grows anxious—we have nothing but anxious and perplexed faces, and yet we cannot bring all this anxiety to facilitate the proceedings about which all are so much interested. There is just as much talk, just as much disputation, and to just as little purpose as during the first month of the session. I am not prepared to say that all this is not right—that it is not for the best interests of the State that there should be delays—that Tom, and Dick, and Harry's bills should go the way of all bills not reached—and yet there are those who really believe that they should not, and who will almost convince you that their belief is well founded, if you will permit them to button-hole long enough. But all the world here is too busy to stand unflinchingly through a long story, and so private wants and private wrongs go unknown and unredressed. Another Winter, and if I bless the halls of legislation with my presence, I intend to devote daily a paragraph to this branch of business.

THE FINANCES.

As I surmised yesterday, the negative vote on the proposition to levy a tax of a mill and a quarter was the occasion for a general looking around to ascertain where the work of economy necessary to keep the State expenditures within the limits of the State's receipts was to be done. The first object of attention was the "Supply bill." The Chairman of the Committee of Ways and means Mr. BLATCHFORD, moved to recommit the Supply bill with instructions to strike out all items of appropriations for charitable purposes, and all items not absolutely required by law. This was passed. Shortly after, came up for a third reading the bill to authorize the Canal appraisers to hear and determine the claims for damages of certain persons owning water rights at Rochester—known as the "Rochester Claims bill." Mr. BLATCHFORD moved to lay the bill aside, giving as a reason the fact that the treasury was empty—that the House had refused to vote to raise the money necessary to pay the expenses of the Government—that these claims, if allowed, involved the expenditure of about $200,000—therefore, it was right and proper that the State should do nothing to recognise an indebtedness which she had no means to liquidate. His motion to lay aside prevailed, and then the third reading of unimportant bills was continued to the close of the session.

This morning, in accordance with instructions, the Supply bill was reported back to the House stripped of all charities, and reduced in amount $175,564. The minority put on a stiff upper lip, moving to go on at once with the third reading of the bill thus stripped; this failed, however—obtaining but 40 Ayes, against 67 Noes.

The Speaker then announced a message from the Senate—being the bill passed last evening, to levy a tax of a mill and a quarter, the same that had been recommitted the day before. Mr. BLATCHFORD moved that the bill be read a third time, which motion prevailed. The reading was commenced, when Mr. AITKEN moved to recommit with instructions to strike out the "quarter." On this motion the previous question was called, and ordered—Ayes, 66; Noes, 46. The main question was put on the final passage of the bill, resulting, in its adoption by the close vote of Ayes, 65; Noes, 67—as follows:

AYES—Messrs. Baldwin, Baker, Beecher, J. Bennett, J. P. Bennett, Boyce, Blakeslee, Blatchford, Boynton, Brush, Bushnell, Churchill, Clark, Cooke, E. Cole, S. E. Cole, Coleman, Comstock, Davidson, Dodge, Doxsee, Eastman, Edwards, Fairchild, Forbes, Fook, Hall, Hammerson, C. F. Johnson, Knapp, Kirkland, Lamport, Leigh, Littlefield, Lourie, Mathes, Maguire, McKinney, Miller, May, E. Miller, Paine, D. Palmer, P. W. Palmer, Pike, Pindar, Rapelje, Shook, Robbins, R. H. Smith, S. Smith, Sneeker, Stebbins, Sunderland, Turbush, O. Tompkins, Van Ostrand, Warner, Walker, Wood, Wells, A. G. Williams, G. D. Williams, Wisner, Woodin—65.

NAY—Messrs. Aitken, Allen, Bleecker, Brinkerhoff, Buckley, Campbell, Case, Chapin, Chester, Conger, Covey, Davy, Devendorf, Dixon, Emans, Everest, Gates, Gleason, Goddard, Grosh, Hunt, Ivans, L. B. Johnson, Kendall, McLean, Mc. Mason, A. Miller, Morrell, Myers, Odell, O'Keefe, J. C. Palmer, Parmelee, Petty, Platt, Ramsey, Richardson, Rider, Rogers, Seymour, Smalley, H. L. Smith, J. A. Smith, W. B. Smith, Santee, Stevens, Storrs, Van Steenburgh, Ward, Waterbury, Whalen, Wilsey, Wygant—67.

One less affirmative vote, and the bill would have been gone—and as it was, the result was only attained by inducing those who had originally voted in the negative to change front. Mr. BLATCHFORD, in thus forcing a factious minority to a recognition of the right and duty of Government to provide the means for its own support, has pursued a course warranted by the circumstances, and in the manner of its carrying out creditable to himself. Unwilling as every New-York man must be to strike from the appropriations the small amount usually demanded by our City election, he had the manliness to stand firm on the ground marked out by the necessities of the Treasury, and has thereby secured the final success of the proposed tax, and saved the public institutions from being refused moneys which had been appropriated to their use, but which were not in the Treasury.

IN THE SENATE.

Yesterday afternoon was devoted to the discussion of the propositions to farm out the repairs of the canals to Messrs. CHARLES COOK, WM. J. MCALPINE and their associates at $700,000 per year. The first vote brought an amendment cutting down this sum to $600,000, and the second a further amendment that the contract should be given to the lowest bidder. This last made both the friends and opponents of the bill willing to let it sleep on the table, where it was laid by a vote of three to one.

THE DIRECT TAX.

The financial question was the subject of the evening discussion—the result the adoption and passage of the bill to levy a direct tax of a mill and a quarter.

All this day the third reading of bills, the hearing of reports and the reference of bills has been the prevalent business, interrupted by the presentation of a petition asking for the passage of the following bill:

An Act to amend "An Act for the Prevention of Intemperance, Pauperism and Crime."

SECTION 1. Nothing in the act entitled "An Act for the Prevention of Intemperance, Pauperism and Crime," shall be construed to prevent any importer or dealer in liquor in the City of New-York, who shall give bonds, with good and sufficient surety, to the proper officer, not less in amount than one thousand dollars nor more than five thousand dollars, from selling and shipping liquors by vessels bound direct to ports out of this State, and not within one hundred miles of the boundaries thereof, provided the same shall be in packages of not less than twenty gallons; and provided further, that said bonds shall be forfeited to the State upon conviction that any sales or shipments were made with the intent to violate or evade the spirit of said act.

SEC. 2. This act shall take effect on the 4th of July next.

The petition was referred to a Select Committee, who reported favorably and recommended its passage, which recommendation I do not think will prevail to a great extent.

I send you a continuation of the titles of the bills which have passed both Houses and become laws. Just think of the labor necessarily bestowed upon them by Governor CLARK in that examination alone, before he can give them his sign manuel pile still stacked up in the Executive, and then bless your stars that you are not the Governor.

J. S. S.

Court of Appeals.

ALBANY, Thursday, April 12.

No. 65 was struck off. Nos. 76 and 78 were passed. Nos. 77 and 38 were argued.

Calendar for April 13—Nos. 35, 40, 71, 9, 51, 79, 80, 81, 82, 83.

LATEST INTELLIGENCE

By Telegraph to the New-York Daily Times.

Reported Arrival of the Steamship America at Halifax.

Our Telegraphic Agent informs us that the regular line between Boston and Halifax was deranged by the heavy storm which prevailed on Wednesday night, and that the trouble on that line still continues.

At a late hour last evening the operator at Quebec reported that the *America* was signaled off Halifax at 7 o'clock in the evening, but unfortunately the line east of Quebec ceased to work soon after, and consequently we have no news and no confirmation of the report of the steamer's arrival at Halifax.

We trust the lines may enable us to receive the *America's* news in season for publication this afternoon, and, meantime, the commercial public should be on their guard.

From Washington.

WASHINGTON, Thursday, April 12.

A meeting of the Cabinet was called for to-day, and a number of the members being absent, it was found necessary to send messengers after them. The cause of the excitement has not transpired.

Senator DOUGLAS left here this afternoon for Chicago *viâ* Pittsburg.

Rumors are prevalent here this morning that important dispatches from Havana have just been received at Charleston or Savannah, and are now *en route* for this city. Their contents have not transpired here.

The *Union* of this morning says that Commodore MCAULEY will leave Washington this morning for Philadelphia, and sail immediately for the Gulf, in the steam frigate *San Jacinto*. The Commodore has received his instructions from the President.

The Burns Riot Trials—Attempt to Destroy a Vessel at Sea.

BOSTON, Thursday, April 12.

In the Circuit Court this morning Judge CURTIS delivered an opinion in the case against THEODORE PARKER and others, to the effect that the indictments were void on the ground that the process was not sufficiently set fort in the indictments; that it was not alleged the Commissioner on the Burns case had legal cognizance. All the accused were therefore ordered to be discharged. The result was received with tokens of applause by the spectators.

The Grand Jury have found indictments against Captain WENTWORTH, of the schr. *A. Hooper*, his mate and crew, for feloniously attempting to destroy their vessel at sea, by boring holes in her side, with intent to defraud the Columbian Insurance Company of Charleston, S. C., where the vessel was insured.

From Buenos Ayres—Ship News.

SALEM, Wednesday, April 11.

The bark *Argentine* has arrived at this port with Buenos Ayres dates to the 13th of February. The following vessels were in port when the *Argentine* left:

Ship *Parana*, LANGSTON, for New-York, uncertain; barks *Wapbosset*, CARTER, do., *viâ* Montevedio, 4 days; *Lion*, TROTT, Boston, 30 days; *Wm. Schroeder*, UPTON, Salem, 7 days; *Chemery*, Rio Janeiro *viâ* Montevedio, 8 days; *Marian Homewood*, do., do.; *Parana*, BETTER, from Liverpool, uncertain; *Juniata*, PHINNEY; *Gilbert*, LUBBERS; *Gipsey*, LINCOLN; *Maldon*, JOHNSON; and *Minto*, STINSON, all discharging; *Scott*, DUER, and *Hill*, uncertain; brigs *Nehemiah Hand*, TURNER, do.; Vernon, COLLINS, from Liverpool, uncertain. April 8, lat. 39 50, lon. 60 30, passed ship *Java*, New-York, for Glasgow.

The Ship James Cheston.

BALTIMORE, Thursday, April 12.

Captain WHITE and his two mates have been held to bail for examination on Tuesday next. The mates have made statements charging the captain with deserting the ship without cause, that there were but fifteen inches of water in the hold, and that the vessel was in good condition when she was abandoned. Their previous statements agreed with the captain's, and they signed his affidavit and protest. One of the crew states that the whole voyage was a Bacchanalian frolic, and that the abandonment of the vessel was caused by drunken insanity.

Naval Intelligence.

PHILADELPHIA, Thursday, April 12.

The steam frigate *San Jacinto* will, to-day, drop down the stream to Newcastle, and there await the arrival of Commodore MCAULEY, preparatory to her departure for the Gulf.

Later from Mexico.

NEW-ORLEANS, Wednesday, April 11.

The steamship *Orizaba* has arrived at this port with dates from Mexico to the 3d inst., but the news is entirely unimportant.

The Expected Steamer.

BOSTON, Thursday, April 12.

We have had no communication with Halifax to-day, the telegraph being out of order east of Bathurst, Me. The *America* is fully due, being now twelve days out from Liverpool.

Suicide.

BOSTON, Thursday, April 12.

This morning WM. P. DENTON, Esq., a well known lawyer, shot himself dead at his residence in Stamesford-street, this city.

Breaking up of the Ice in the Penobscot River.

BANGOR, Thursday, April 12.

The ice in the Penobscot, opposite the city here, has mostly disappeared, and the river will probably be clear below by to-morrow.

Wreck of the Brig Boston.

BOSTON, Thursday, April 12.

The brig *Boston*, from Surinam for Salem, went ashore on the southwest part of Nantucket yesterday and it is supposed that she has filled and is full of water. We have no particulars.

The Southern Mail.

BALTIMORE, Thursday, April 12.

The Southern mail from all points as late as due is received.

☞ The *Stethoscope* (organ of the Medical Society of Virginia) for April reaches us in good time. It maintains its character for excellent selections, timely editorials and honest observations. A lithograph of DR. P. ALEXANDER comments the number.

☞ There is more fun in the *Pioneer*, (San Francisco monthly,) for March, than in a score of "old fogy" magazines we have read this year. The closing report of Prof. JOHN FREMONT, of a military survey from San Francisco to the Mission of Dolores, is the most irresistibly comic thing of the season. *Punch* is slow and dull, and grave in the comparison.

BUSINESS NOTICES.

CARPETINGS.

FERRERO & HUMPHREY,

No. 309 Broadway, corner of White st., have just received from the late large auction sales a large assortment of Carpeting, &c., which they will sell at the following low prices:

Rich Velvet Carpet, 11s. to 14s. per yard.
Rich Tapestry, 5s. to 10s. per yard.
Rich Brussels, 4s. per yard.
Three-ply, 3s. to 3s. per yard.
Tapestry, (Lowell make,) 2s. per yard.
And all other goods equally low.

SPRING AND SUMMER CLOTHING.

ALFRED MUNROE & CO.,

NO. 661 BROADWAY,

Are now exhibiting a large stock of Clothing, suitable for the approaching season, which they

OFFER AT RETAIL AT LOW PRICES.

Also,

BOYS' CLOTHING OF EVERY DESCRIPTION.

ONE PRICE FOR GOODS—NO DEVIATION.

JAMES E. RAY, NO. 196 BOWERY, IMPORTER AND Manufacturer of UNDER GARMENTS AND HOSIERY. All goods shown cheerfully, represented fairly, offered at a small advance on the original cost, and submitted to the purchaser's unbiased approval. Wholesale and retail.

SPRING HOSIERY AND UNDERGARMENTS.—

AT THE OLD STAND,

No. 104 Bowery,

Will be found the cheapest and best Goods!

Call and examine.

A. RANKIN & CO.

OFFICE OF THE ORIENT MUTUAL INSURANCE CO.,

NEW-YORK, March 20, 1855.

IN COMPLIANCE WITH THE REQUIREMENTS of the Charter of this Company, the following Statement is published, showing the result of its first year's business:

Total amount of Premiums received from 1st March, 1854, to 28th February, 1855, both inclusive		$327,429 66
Earned Premiums during the year, as above	$276,389 73	
Less Return Premiums	53,963 91	$222,345 82
Losses, including $28,000 of claims ascertained but not yet due	$261,412 11	
Reinsurance	16,000 00	
Expenses, loss of Interest, and Rebate of 6 per cent. on Subscription Notes	83,946 71	461,433 82
Profit		$60,087 18

ASSETS 28TH FEBRUARY, 1855.

Cash in Bank		$12,555 09
Loans on Call against Collateral Securities		20,000 00
Bills Receivable—viz.		
Premium Notes	$282,765 27	
Subscription Notes in advance of Premiums	420,132 64	702,897 91
Uncollected Premiums, and Claims due the Company		12,971 09
Total		$750,344 09

In view of the above results the Board of Trustees have this day resolved that a Scrip Dividend of Fifteen per Cent. be declared on the net amount of earned premiums, for which certificates will be issued on and after the 16th instant.

By order of the Board,

CHARLES IRVING, Secretary.

TRUSTEES

John L. Aspinwall, John Archibald, James Boorman, Nathaniel Bowditch, N. D. Carville, George Christ, Francis Cottenet, Eugene Dutilh, Robert Ewart, Jr., F. G. Foster, Jos. Gaillard, Jr., Moses H. Grinnell, John H. Hicks, J. De Bruyn Kops, Richard Irvin, John B. Kiesling, C. Henry Kops, Geo. F. Kunhardt, Chas. G. Lamson, A. M. Lawrence, Arthur Leary, Mortimer Livingston, Wm. P. Mackie, Henry Meyer, Jr., John B. Murray, Jr., Wm. H. Macy, Jr., Chas. Marshall, Wm. H. Morrell, Jr., Alfred Ogden, Chas. Partridge, Frederick W. Read, Jr., Edward Rankin, Jr., Wm. H. Rossell, Thomas Rigney, C. H. Sand, Edw. F. Sanderson, F. A. Schermerhorn, O. H. Smith, John S. Williams, William S. Wilson.

C. W. FARNH, President.

ALFRED OGDEN, Vice President.

CHARLES IRVING, Secretary.

MOURNING MILLINERY.—C. F. BARTHOLOMEW has a pleasure in informing the public that his stock of Mourning Millinery is now complete, consisting of the latest and most fashionable assortment ever exhibited in one establishment—comprising every article that is possible to invent. Our principal Bonnets being engaged from the first houses in Paris, we are always in advance of any other establishment. New Bonnets received by every steamer and copies, which arrive the originals, are introduced in our show-rooms daily. Millinery supplied with Patterns.

C. F. BARTHOLOMEW'S New Mourning Store, No. 651 Broadway.

HERRING'S PATENT CHAMPION FIRE-PROOF Safes, with HALL'S Patent Powder-Proof Locks, the only safes that were awarded superior medals at the World's Fair, London, 1851, and World's Fair, New-York, 1853, and 1854, and this is the lock and the only powder-proof lock that received a medal at the London World's Fair, though others press an exhibition, and now advertise that they have World's Fair Locks. The subscriber and his agents are the only persons authorized to make and sell his Patent Champion Safe, with HALL'S Patent Powder Proof Locks. F. C. HERRING, Green Block, Nos. 126, 127 and 129 Water-st., New-York.

GREAT BARGAINS IN CARPETINGS.—SMITH & LOUNSBERY, No. 499 Broadway, (near Grand-st.,) are now prepared to exhibit one of the most beautiful stocks of Carpets ever offered in this market, at a reduction of 20 per cent. from last season's prices:

Rich Velvet.....10c. to 12c. per yard
Rich Tapestry.....7c. to 12c. per yard
Rich Brussels.....5c. to 7c. per yard
Rich Three-Ply.....7c. 6d. to 9s. per yard
Best Imperials.....3s. to 3s. per yard
and other goods equally low.

SINGER'S SEWING MACHINE.—GREAT IMprovements just added to these machines so that they run with the least power and without noise. Make them either for family use, plain sewing, tailoring use, shoemakers' use, or any use whatever. The most complete invention ever presented to the public. The same machine will do every variety of work perfectly. Abundant references given to those who use them. All other machines are liable to suit for infringement of our patent, and most of them are sued. I. M. SINGER & CO., No. 323 Broadway.

GREAT BARGAINS IN FRENCH CHINA.—200 White China Dinner Sets, containing enough pieces to dine twelve persons, at $23; worth $45.

200 White China Dinner Sets, containing enough pieces to dine eighteen persons, at $37; worth $60.

200 White China Tea Sets at $4 50; worth $9 00.

Gilt Band and richly decorated sets in the same proportion.

W. J. P. DAILEY & CO., Marble Stores, Nos. 681 and 683 Broadway.

PIANOS.—J. GILBERT & CO.'S CELEBRATED Melian Pianos, Horace Waters' modern improved Pianos and those of a large number of other makers, comprising the largest and most comprehensive assortment in the United States, will be sold, at prices unusually low for cash, or on satisfactory payments. Persons in the City receiving orders for Pianos will find it to their advantage to call.

HORACE WATERS, No. 333 Broadway.

STRANGERS AND CITIZENS—IF YOU ARE TRAVelling, or intend to travel, you will find it greatly to your advantage to call immediately at TUTTLE'S Emporium, No. 246 Broadway, where has just been opened a most complete assortment of portable and convenient dressing cases for ladies and gentlemen than was ever before offered in this City. You cannot fail to be suited both in quality and price. Reticules, work and music boxes of every variety.

ANTHONY J. BLEECKER, AUCTIONEER.—IN ADdition to his Real Estate business, the subscriber has established in his office a department for the sale of Furniture. A competent person will be found at the desk for the reception of orders, and the general supervision of that branch of business. ANTHONY J. BLEECKER, Auctioneer, No. 7 Broad-st.

NEVER DEPLORE SPILT MILK.—IF YOUR LAST had was a shocking poor tile, why, avoid the casualty again, by purchasing the next one of KNOX. With one of his hats securely on your persons you may feel as happy as a clam at full tide. Mr. Knox's Spring style is to be seen everywhere, and to be bought at No. 128 Fulton-

SPECIAL NOTICES.

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P. H. HORTON & CO., Auctioneers.
BY HORTON'S & KELLOGG—TUESDAY and THURSDAY.
BROADWAY HOUSE AND STORE FOR SALE.
On TUESDAY, April 22, at 12 o'clock, at the Merchants' Exchange, by virtue of a power contained in a mortgage executed by Jacob Sharp to Jacob Lorillard, dated April 1, 1854, and recorded in Liber 406 of Mortgages, page 1, in the Register's office of the City and County of New-York, on the 3d day of April, 1854, at 10 o'clock A. M., the following described property, viz.: All that certain lot, piece or parcel of land, situate, lying and being on the westerly side of Broadway, in the City of New-York, beginning at a point on the westerly side of Broadway, distant 25 feet 6 inches southerly from the corner formed by the intersection of the westerly side of Broadway with the southerly side of Prince-st., running thence southerly along the westerly side of Broadway 25 feet 6 inches; thence westerly parallel with Prince-st. 100 feet; thence northerly parallel with Broadway 25 feet 6 inches; thence easterly parallel with Prince-st. 100 feet to the point or place of beginning. Together with the privileges and appurtenances thereunto belonging. Subject to a mortgage for $30,000, with interest from May 1, 1856. Terms cash. Deed at the expense of the purchaser. Possession given immediately. For further particulars apply to the auctioneers, No. 18 Nassau-st.

HENRY H. LEDYARD, Auctioneer.
BY H. H. LEDYARD & CO.—THURSDAY, April 24, at 12 o'clock, at the Merchants' Exchange, by ADRIAN H. MULLER, Executor of the last will and testament of Peter Mesier, deceased, the following described property, viz.: All that certain lot, piece or parcel of land, situate, lying and being on the northerly side of Fifty-ninth-st., between Fifth and Sixth-avs., in the City of New-York, beginning at a point on the northerly side of Fifty-ninth-st., distant 100 feet westerly from the corner formed by the intersection of the northerly side of Fifty-ninth-st. with the westerly side of Fifth-av., running thence westerly along the northerly side of Fifty-ninth-st. 100 feet; thence northerly parallel with Fifth-av. 100 feet 5 inches; thence easterly parallel with Fifty-ninth-st. 100 feet, and thence southerly parallel with Fifth-av. 100 feet 5 inches to the point or place of beginning. Terms cash. Deed at the expense of the purchaser. For further particulars apply to the auctioneers, No. 18 Nassau-st.

HENRY H. LEDYARD, Auctioneer.
BY H. H. LEDYARD & CO.—SATURDAY, April 19

New-York Daily Times.

SUMMARY OF ACTS
Passed by the Legislature at the Session of 1855.

[CHAPTER

234. To incorporate the Ontario Hydraulic Company of the County of Ontario.

235. For the relief of William S. Shuter and Addison H. Dekemper, for extra work on the Erie Canal Enlargement.

236. In relation to the Globe Lands in the village of Newburg, Orange County.

237. Extending the time for the Utica and Binghamton Railroad Company to begin the construction of their road, and expend thereon ten per cent. on the amount of its capital.

238. In relation to School District No. 1, in the town of Waterloo, in the County of Seneca.

239. To incorporate the Port Edward Water Works Company.

240. To confirm the acts of the Commissioners of Highways of the town of Tioga, in the County of Tioga, in laying out and opening highways in said town.

241. To incorporate the New-York State Colonization Society.

242. Authorizing Freeman Campbell to erect piles and piers in the Chemung River.

243. For the relief of Wells D. Walbridge, for Canal damages.

244. To authorize the Delaware, Lackawana and Western Railroad Company to make contracts in this State.

245. In relation to the town hall of West Farms, in the county of Westchester.

246. To authorize the Directors of the Jordan and Elbridge Plankroad to Macedonize any portion of their roads, and in relation to highway labor on the roads of said road.

247. To amend the charter of Hobart Free College.

248. For the relief of Gilbert L. Dubois, of the City of New-York.

249. To authorize Boards of Supervisors to adopt seals and to make certified copies of their records and proceedings evidence.

250. To authorize the Poughkeepsie Rural Cemetery to sell and convey seven and twenty-five-hundredths acres of their lands lying outside of their enclosure, and to apply the proceeds to the payment of debts incurred for improvement.

251. For the appraisement of canal damages of Jane Shrieber.

252. To amend "An act to authorize the construction and maintenance of a bridge over the Erie Canal at Perry-street, in the village of West Troy," passed April 13, 1853.

253. To provide for the payment of a judgment rendered in the Supreme Court in favor of Horace Hotchkiss and Wm. P. Smith against Munson J. Lockwood, agent of the Sing Sing Prison.

254. Making the village of Crescent, in the County of Saratoga, a separate road district.

255. To enlarge the powers and duties of Commissioners of Highways.

256. To amend an act entitled "An act to establish a Court of Special Sessions in and for the city of Albany, and to confer further judicial powers upon the Recorder of said city," passed March 27, 1840.

257. To legalize the acts of the trustees of the village of Gowanda in reference to a certain sidewalk in said village.

258. Constituting the village of Warrensville, Schoharie County, a separate road district.

259. To incorporate the Onondaga County Savings Bank in the city of Syracuse.

260. For the appraisal and payment of canal damages of Henry Baker, deceased.

261. To amend an act entitled "An act to provide for the encampment of the militia and the organization of military corps, and the discipline of military of this State," passed April 17, 1854.

262. Revising and c[illegible]ecting an act entitled "An act to incorporate the village of Ulster.

263. To authorize the Canal Appraisers to [illegible]udit the accounts of Amasa Tuell for materials used in the construction of the Crooked Lake Canal, and to provide for the payment thereof.

264. To amend an act entitled "An act to vest certain powers in the freeholders and inhabitants in the village of Jamaica, in the County of Queens," passed April 15, 1814, and to enlarge the powers of the corporation of said village.

265. To confirm the official acts of Lyman P. Alkin, a Justice of the Peace of the town of Berkshire.

266. To allow the Staten Island Railroad Company further to extend the time to commence the construction of their road.

267. To repeal an act entitled "An act to incorporate the Whitehall and Granville Turnpike Company."

268. To amend an act entitled "An act requiring the Police Justices in the City of New-York to file records of all convictions of vagrancy," passed April 12, 1853.

269. Requiring the overseers of the poor of the several towns of this State to give bonds.

270. To amend an act entitled "An act to incorporate the New-York Academy of Music," passed April 10, 1855.

271. To amend an act entitled "An act to incorporate the Saratoga and Schenectady Bridge Company," passed April 8, 1836.

272. To amend an act entitled "An act to authorize the Ogdensburg and Canton road to borrow money and to convert the road into a plank road," passed Feb. 16, 1850.

273. To incorporate the Neptune Fire Engine Company, number two, in the village of Sackett's Harbor.

274. To amend an act entitled "An act in relation to the Brooklyn Railroad Company," passed March 23, 1854.

275. To amend the charter of the Agricultural Insurance Company and to authorize that Company to change their place of business.

276. To incorporate the Port Chester Fire Department.

277. To incorporate the Cohoes Water-Works Company.

278. To amend an act entitled "An act further to amend the charter of the City of Rochester," passed April 15, 1854.

279. To facilitate the service of process on insurance and other incorporations in this State.

280. To establish free schools in district number one, in the towns of Castleton and Smithfield, in the County of Richmond.

281. To authorize the construction and maintenance of a bridge over the Champlain Canal, on the farm of William Willcox, in the town of Saratoga, Saratoga County.

282. Making an appropriation for and authorizing and directing the payment of an award made by the Canal Appraisers to John Lafoy and John W. Clemens.

283. To form a road district from the village of Richfield Springs, in the town of Richfield, in the County of Otsego, to the north line of the town of Warren, in the County of Herkimer.

284. To amend the charter of the village of Penn Yan, Yates County.

285. To amend an act to incorporate the village of Medina, passed May 9, 1837.

286. For the relief of James Stewart, contractor upon the suspended work on the Oswego Canal.

287. To provide for the purchase of a bridge in Richmond County, and for other purposes connected therewith.

288. For the relief of David Rogers, contractor upon the suspended work on the Oswego Canal.

289. To incorporate the Hebrew Female Benevolent Society of the Congregational Shearith Israel in the City of New-York.

290. In relation to Courts of Special Sessions in, and to regulate the Police of the County of Rensselaer.

291. In relation to the salary of the County Treasurer of the County of Kings.

292. To amend an act entitled "An act to provide for the incorporation of Insurance Companies, passed April 10, 1849.

293. In relation to the appointment of the Police Court Clerks and Clerks of the District Courts in the City of New-York.

294. In relation to a bridge on the Kinderhook Creek at Stuyvesant Falls, in the County of Columbia.

NEW-YORK CITY.

Our City Schools.

To the Editor of the New-York Daily Times:

The system of grading and classification, both of pupils and teachers, studies and salaries, put forth by the late Board of Education, for the improving and managing of our City Schools, to go into full effect on the 1st of May next, demands at least a passing notice.

It makes two classes of schools; one to be called primary, and the other grammar schools, both to have five classes or grades, and designated alike by 5th, 4th, 3d, 2d and 1st; the latter being the highest grade.

Specific studies are prescribed for each of these classes. More than half the attending pupils are now in the primaries. To arrange the schools on the plan *prescribed would take from the grammar schools about* two-fifths of their present attendants; and these would *add about one-third to the numbers now* in the primaries, which are generally crowded to excess, while there *is much spare room* in the grammar schools.

In the grammar schools about one-half are of the *grade prescribed for the fifth class*; one-fourth for the fourth, and the remaining one-quarter for the third (middle) class; and of this one-fourth, about one-third devote a small portion of time, say five hours in a week, to some part of the studies prescribed for the second and first (the highest two) classes.

The requirements for the third class cover almost the entire of what is attained in these schools.

The requirements for the third (middle) class in the primaries are higher than is now generally attained in these schools.

This condition of our schools must continue, so long as the masses leave pupils before entering their teens, and while the few that remain longer, leave, generally, before the seventh year.

There are some locations, like the Fifteenth Ward, where children in greater numbers, over twelve years of age, continue longer in school, and may be advanced to higher grades of study.

It is the tiling in practice that shows forth the reality; and there is no good reason why the reality of the internal condition of our schools should be improved or ob scured by any ideal, theoretic or fanciful system, however perfect or beautiful the exhibition may appear on paper.

Hence, the following specifications of studies for *specific primary classes*:

"Lessons on objects and common things.

Elementary instruction in the science of common things.

Names and qualities of objects.

Elementary principles of natural sciences.

Lessons on natural objects."

Had the books on these subjects been named, some clue might be found to the meaning of these requirements; but without such reference, what teacher can get at the intent of the Board of Education in prescribing such an array of sciences and objects to be learned by A. B. C. darians and orthographians in our primary schools?

Next, look at the gradation of the teachers, and salaries. The ordinance provides for a teacher to every forty pupils in the Grammar schools, and one for every fifty in the primaries. It also provides for each department, a Principal, a Vice Principal, and assistants of three grades; the City Superintendent's license is to denote the grade of each one. The maximum of salaries for each grade is as follows:

	Males.	Females.	Primaries.
Principals	$1,500	$600	$480
Vice Principals	1,000	400	320
First Assistants	600	360	240
Second Assistants	400	250	200
Third Assistants	250	150	120

Variations from these grades are provided for thus:

In the Grammar schools, where the average attendance does not exceed 300, the salaries of all are to be less by 25 per cent., and by 50 per cent., when it does not exceed 180. And in the primaries, where the average is but 300, the salaries are to be less by 25 to 50 per cent.; and by 40 per cent., if it be but 150.

This system (it will readily be perceived) awards salaries not according to the ability or worth of the teacher, the number of children in the class, the amount of labor to be performed, but according to the numerical capacity of the building, or the number of pupils attending, wherein the teacher happens to be located.

Look a moment at its operation,—the thing in practice:

Four young ladies, A, B, C and D, of equal merit, are employed as principals in four primary schools.

A is a pleasant school, midst a well-ordered population; has an average of 400 children, neatly clad, and well-behaved, with eight assistants.

B has one similar, with 340 pupils, and seven assistants.

C has a school of 280 pupils and five assistants.

D has 140 filthy, ill-bred children, and two assistants.

A and B receive each $480, and their First and Second Assistants each $220 and $240.

C receives $350, her First Assistant $250, and her Second $200.

D receives $300, and her two Assistants each $200 and $150.

D's position is the most arduous and disagreeable, requiring no less skill, and, (say,) an hour of extra labor, daily, as she must attend to her class of 50, from 9 to 2 o'clock, while the Principals of the large schools, as A and B, have no classes, and are at leisure to do up all their work of writing, &c., between 9 and 2 o'clock, which D must do after school hours.

Why, then, should she receive $150 less than they, and her Assistants each $130 and $90 less than theirs, while all have in charge the same number of (50) children?

Look, again, at the workings in three Grammar Schools:

1. A school of 240 boys has six teachers, whose salaries amount to $4,100.

2. One school of 260 boys has five teachers, whose salaries amount to $3,600.

3. One school of 190 boys has two teachers, whose salaries amount to $1,000.

The cost for teaching in the first is $17 50 per scholar, and in the second $15, while in the third it is but $10 per scholar.

What reason can be assigned for paying this difference of 50 and 75 per cent. more for doing the same work, precisely, merely because it happens to be performed in the larger buildings?

By what rule of arithmetic, of justice or of equity, is this discrimination made, both as to the cost per scholar and pay of teacher?

Look next at the five grades of teachers, five grades of salaries and five classes, or grades of pupils. In practice, how are these to work together?

Do these three grades of Assistants receive pay each one according to his grade as a teacher, or according to the grade of the class he teaches?

A school of 240 boys, in divisions of 40 each, requires eight teachers, six of them being designated Assistants.

The pupils, as before described, grade one-half in class five, and one-quarter in class four. Now what is to be the position of these six Assistants, respectively, while thus teaching, four of them in class five, and the other two in class four? Shall the four take rank as Third Assistants, and receive the $300 salary, and the other two rank as Second Assistants, at the salary or $320? Or shall each one take rank and pay according to his certificate grade, whether one, two, or more of them be of the third, second, or first grade of Assistants?

Who shall undertake to solve the workings, and adjust the salaries under and according to such an ordinance? Q.

Self-Murder of a Cyprian.

Yesterday morning, a young girl named GEORGIANA WARNER, residing at a house in Wooster-street, committed suicide by taking a heavy dose of prussic acid. Death ensued thirty minutes afterwards. The cause of the act is supposed to have had its origin in a quarrel with her sister, the previous afternoon, who lives in the same house. The deceased was a fine-looking girl, twenty-two years of age, and had complained of being tired of leading a life of dissipation.

Police at Church.

Mayor WOOD, we hear, has issued an order directing that a Policeman shall hereafter take station on Sunday mornings before the door of every Church in the City. Why?

Escape of United States Prisoners.

Seven important prisoners effected their escape yesterday morning from Eldridge-street Jail, and fled to parts unknown.

☞ Rev. J. B. WAKELEY desires us to state that he did not say at the Tabernacle Temperance Meeting, that POOLE made a "confession" to him. He remarks—"I said his attendant physician told me Mr. POOLE said to him 'that nothing he had done that he regretted more than opening his liquor saloon on Broadway, that it was mean business to sell rum, and if he recovered he would close his saloon the first thing, and abandon that business for ever.' For the sake of the living and the dead I hope you will make this correction."

[Advertisement.]

A CARD—TO INVALIDS VISITING OR RESIDING IN NEW-YORK.—A strong desire to save the invalid from the snares which imposture and quackery spread, induces the undersigned to give this public invitation to all invalids visiting this City for medical advice, or those residing here, to call upon him, at his office, No. 714 Broadway. He will be pleased to give them perfectly safe and reliable counsel and advice; and in all cases where he cannot afford relief he will give such information as will enable the invalid, resident or stranger, to avoid imposition, and find the medical and surgical aid required.

For the following diseases he may be consulted from 9 o'clock A. M. to 4 o'clock P. M., every day in the week, Sundays excepted:

Consumption, and all diseases of the Lungs and Throat.

Palpitation, and all other forms of Heart Disease.

Liver Complaint, Dyspepsia, and all other diseases of Stomach and Bowels, Piles, &c.

Prolapsus, and all forms of Female Complaints, Irregularities and Weaknesses.

Rheumatism, Scrofula, and all Skin Diseases.

Persons at a distance are invited to consult him by letter, giving him a full statement of the case. Prompt answers will be returned.

All counsel and advice without any charge whatever.

Address S. S. FITCH, A.M., M.D.,
No. 714 Broadway, New-York.

[Advertisement.]

GOODWIN & CORT'S PERFECT KITCHEN RANGE.—An excellent Cooking Range, indispensable to a complete house. G. & C. invite the attention of plumbers, builders, hotel-keepers and private families, to their improved Water-Back Range. This perfect Range has no equal in expeditious, convenient and economic cooking. An inspection will satisfy the best judges of its very superior merits, and very reasonable prices. GOODWIN & CORT,

Designers, Manufacturers and Dealers in Ranges, Stoves, &c., No. 256 Water-st., corner of Peck-slip, New-York. CHARLES GOODWIN,
NICHOLAS L. CORT.

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PHOTOGRAPHIC PORTRAITS.—Life and Cabinet sizes in oil and pastel. BRADLEY'S stock, superior to the finest ivory polishing; instantaneous photographs, executed by no other establishment in the world. Parties like-

[illegible] to any style or size from daguerreotypes of deceased friends. Life size oil paintings on canvas by this process at one sitting, taken only by

J. GURNEY & C. D. FREDERICKS,
No. 707 Rue Basse du Rempart, Paris, and
No. 349 Broadway, New-York.

[Advertisement.]

PLAIN AND DECORATIVE PAPER HANGINGS.—PRATT & HARDENBERGH, Manufacturers and Importers, No. 259 Broadway, between Reade and Franklin-sts., invite attention to their extensive stock, which is unsurpassed by any in this country. Faithful and accomplished workmen sent to any part of the City or country, at short notice, and [illegible] warranted.

[Advertisement.]

HOLLOWAY'S OINTMENT.—The first Surgeons of this great country have generously and nobly recommended this Ointment to their patients and the public generally, as an invaluable remedy for wounds, sores, and ulcers. Sold at the manufactory, 80 Maiden-lane, New-York, and 244 Strand, London, and by all druggists at 25 cents, 62½ cents, and $1 per pot.

[Advertisement.]

TO OUR CUSTOMERS IN NEW-YORK CITY.—In obedience to a custom originating with our firm of introducing QUARTERLY new and original patterns for *Gentlemen's Hats*, we beg to announce that for April 1855, as the most finished production of Art Hatting ever presented for public acceptance is now ready.

LEARY & Co., Astor House, Broadway.

[Advertisement.]

LIFE SIZE ON CANVAS—NO FRAMING.—The splendid life-size Photographic portraits at BEAT'S are impressed directly on the canvas, not on thin paper and then pasted on the cloth. Examine them closely—they challenge the severest scrutiny. A wonder for show this day at No. 363 Broadway.

[Advertisement.]

☞ JACOB HYATT, Engraver, was awarded the highest premium of the New-York Crystal Palace Association, for the best Card and Door-plate Engraving. He is yet at the old establishment, corner of Maiden-lane and Broadway. The most fastidious are always pleased.

[Advertisement.]

TO NERVOUS SUFFERERS.—A retired Clergyman restored to health in a few days after many years of great nervous suffering, is anxious to make known the means of cure. Will send (free) the prescription used. Direct to Rev. JOHN M. DAGNALL, No. 67 Fulton-street, Brooklyn, N. Y.

[Advertisement.]

BRADY'S GALLERY, No. 359 BROADWAY.—The largest in the world. Photographs and Daguerreotypes in every style. Gallery, dressing and operating rooms on the same floor. The finest collection of portraits in America. Strangers in New-York are respectfully invited to pay it a visit.

[Advertisement.]

NOUS VERRONS.—Of course we shall, at No. 363 Broadway, this morning, see the greatest specimens of Photographic art yet produced. "Excelsior" is Root's motto; and "he has been and gone and done it."

[Advertisement.]

☞ For rent or lease, with or without furniture, a large and elegant brown stone house, in perfect order, with all modern improvements, No. 33 West Twenty-fourth-street, between Fifth and Sixth-avenues. Call and see the house.

[Advertisement.]

☞ COLORED PHOTOGRAPHS for $6, $8, $10, $15 and $20, in a style superior to any others made in this country. Cabinet and Life sizes, plain and colored. Copies by this process. BRADY, No. 359 Broadway, over Thompson's.

[Advertisement.]

BLAKE'S PATENT FIRE-PROOF PAINT, No. 119 Pearl-st.—See under head of Paints.

LONG ISLAND.

Fire—A Child Burned to Death.

A house in Clymer-street, near Kent-avenue, East Brooklyn, owned by JAS. CONNER, and occupied in part by a family named RILEY, caught on fire on Sunday. The damage done to the house was slight, but the fire was not extinguished until a child, named PATRICK RILEY, was so badly burned that it died yesterday of its injuries. The damage to the building was only about $150; and the fire, as usual, was caused by carelessness—having caught from a candle in a bedroom where the child was sleeping.

The Late Senator Phelps.

One of the most remarkable men, in some respects, in the Republic, was suddenly called away from his earthly labors a few days since—the late Senator PHELPS, of Vermont.

He graduated at old Yale in the year 1811, and is confessedly one of the most talented men which that College has sent out, with her official imprimatur, since Mr. CALHOUN. These men were both very eminent in their way, but they were almost the precise antipodes of each other. CALHOUN was grave, solemn, thoughtful, severe. PHELPS, impulsive, off-hand, reckless, undignified often, but always pointed, piquant, generous, and never a reformer; while his great antithesis was always studying some reform, some vain phantasy of the imagination, which no man ever had or ever could reduce to practical operation.

Our first knowledge of Senator PHELPS was in the legislative council of the State, in the year 1831. He was then a comparatively young man, and was associated with a class who had no prior reputation to herald them into office, and came before the public under the doubtful patronage of the first anti-masonic council of the State. Can any good thing come out of Nazareth? We happened to be in the lobby of the House of Assembly on the day Councilor PHELPS made his *début* in addressing the joint assembly of both Houses upon some constitutional question. The effect was electrical, carrying the house by *coup de main*. Nothing was spoken of but the surprising, wonderful talents of the young Councilor, for most of his associates were his seniors. He was that session promoted to the Bench of the Supreme Court—the House of Assembly receding from a proposition to reduce the number of Judges, so as to leave a place for him.

As a Judge he was always useful, often displaying surpassing ability, but more, as a general thing, in pronouncing his opinions in Court, than in writing them out for the press. He had too much of the nervous restlessness of genius to render the plodding process of tracing out refined and latent analogies an endurable labor. After a few years of eminently useful service upon the Bench, he was transferred to the United States Senate, where he remained two full terms and part of another. He was here one of the most useful, as well as, perhaps, the very ablest member, if we except DANIEL WEBSTER and JOHN C. CALHOUN. But he was never studious, or watchful of opportunities, for making favorable impressions. He made many able, elaborate and learned speeches, and one in particular upon the tariff, in reply to Mr. CALHOUN, which was regarded as the great speech upon the subject, and in many respects a most finished and eloquent production. His peroration was truly thrilling, a thing never to be forgotten when once read. But he was above the little darts by which common men are constantly striving to climb into notoriety, and which the most distinguished seldom disregard altogether.

He was a genial, companionable man while in health, full of frolic and fun. But latterly, his long hot Summers at *Washington had deranged the functions* of life to such an extent, that it was said to see *him in his public efforts—especially to those* who had known him intimately in his full strength. Two *months since, he argued two important cases* in different Counties, before the Supreme Court, in which he manifested much of his usual ability and discrimination, so as to make himself exceedingly interesting, and in one of them perpetrated one of his happy witticisms, which brought down the house in a complete roar in the midst of the grave discussion of a dry law point. His arguments before the Supreme Court of the United States, at Washington, were listened to with the greatest admiration by all who heard them. Mr. WEBSTER, soon after he left the Senate, was employed in the argument of an important Patent case before the Court, where a large number of the most distinguished counsel in the Union were engaged upon both sides. Senator PHELPS made the leading argument upon the side opposed to Mr. WEBSTER. After the case was submitted to the Court, Mr. WEBSTER said to some one about the bar, "Senator PHELPS is one of the ablest advocates to whom I have ever listened; he might, if he knew his strength, control the Senate, and immediately became the acknowledged chief there." Mr. CLAY paid him a similar compliment in the argument of an important cause before the Circuit Court of the United States, where they were engaged upon opposite sides. The late Mr. JUSTICE THOMPSON, of the Supreme Court of the United States, regarded him, for many years, as one of the very ablest advocates in his judicial circuit, including the States of New-York, Connecticut and Vermont.

But he is gone from the scenes of his earthly toil and has left few equals in the country. He had a special contempt for pretension, and spotted Young Americanism in all forms, which, once or twice it was said, threatened to involve him in an affair of honor while at Washington, with some high blood who happened to spout a brilliant equalities or showy secessionism. It is but just to say of him, that he was a man of great kindness and generosity, truthfulness and integrity; and although not in the full communion of the church, one who held her sacred formularies in great veneration, and who would express almost anything sooner than levity upon serious subjects. He was one who had no great veneration for the mere conventionalisms of artificial life, but no one was truer to those instincts which everywhere mark the gentleman and the scholar. He felt that he was not always properly estimated by men of small calibre and great parade and assumption, and he was not always in the exercise of a wise discretion in speaking of those with whom he felt that he could have no sympathy. Those who knew him well and could justly estimate his distinguishing excellencies will not fail to remember him with kindness and respect.

☞ The Third Presbytery of New-York has appointed Rev. Drs. SKINNER and CAMPBELL, and CHRISTOPHER R. ROBERTS and AUGUSTIN REMUS, Esqs., Elders, Commissioners to the General Assembly. Rev. Dr. HATFIELD and Rev. DWIGHT M. SEWARD, and Elders JOHN L. MASON and CHARLES BUTLER, Esqs., Alternates.

☞ The entire liabilities of the estate of DANIEL WEBSTER, at his death, were about $140,000. His farm in Franklin, N. H., which was lately sold for $15,000, together with his Marshfield and other property, would probably yield twenty-five cents on the dollar.

☞ Among the attractions at the circus in Washington on Tuesday night, it was announced in the bills of the day that a greased pig would be let loose in the circle, and that the person who would first catch and hold it by the tail would be entitled to the property.

☞ The *Mississippian* says that $10,000 have been raised in Lexington, Miss., to assist settlers from slaveholding States to go to Kansas, and urges the Mississippians to organize, and not to leave the laboring ear of making Kansas a slave State to Missouri.

MARRIED

In Brooklyn, on Monday, April 9, by Rev. Henry Ward Beecher, WILLIAM MOORE, of Cincinnati, to CAROLINE SCOTland, to HARRY LETITIA, eldest daughter of Rev. Robert Manson, of St. John's Church, Hobart Town, V. D. L. late of Newry, Ireland.

☞ Belfast and Newry papers please copy.

In this City, on Wednesday, March 11, by Rev. S. D. Ferguson, JACOB B. STINE, of Plainfield, N. J., to SARAH E. JAYNE, of this City.

☞ Plainfield, N. J., papers please copy.

In this City, on Thursday, April 12, by Rev. M. S. Hutton, Mr. FRANCIS SCHNELLEVER to Mrs. H. M. REVIUS, daughter of the late Benj. Smith, Esq., both of this City.

In Boston, on Wednesday, April 11, by Rev. S. W. Lothrop, GEO. A. ROBBINS, of New York, to JULIA C., daughter of B. G. Wainwright, of Paris.

At Hoboken, N. J., on Wednesday, April 11, by Rev. J. P. SUYDAM, Mr. ROBERT HENRY, of Galena, Wis., to Miss MAGDELENE PINE.

At Elberon, Westchester County, April 10, by Rev. C. O. Reynolds, Mr. DAVID SINCLAIR, to Miss SELINA C. H., daughter of George Hover, Esq., of this City.

At Canaan, N. Y., on Thursday, April 12, after a protracted illness, Dr. STEPHEN BROWN, in his 67th year, for many years a resident of this City.

DIED.

In this City, at his residence in Greene-st., of consumption, SAMUEL STEELE, aged 39 years and 3 months, formerly a citizen of the city of Dublin.

On Wednesday, April 11, Madame MARIE HASSELL, a native of Hanover, long a resident of Columbia, S. C., aged 55 years.

☞ Southern papers please copy.

In this City, on Thursday, April 12, Mr. WILLIAM JONES, at the advanced age of 72 years and 10 months.

The friends of the family, and those of his sons-in-law, are respectfully invited to attend his funeral, at 2 o'clock P. M., on Friday, the 13th inst., from the residence of his son, No. 20 6th-st.

☞ Cleveland and California papers please copy.

In this City, on Thursday morning, April 12, WILLIAM TAYLOR, of the firm of Wm. Taylor & Co., No. 15 Ann-st., aged 50 years.

His friends and relatives are respectfully invited to attend his funeral, at his late residence, No. 141 Gold-st., on Sunday, April 15, at 2 o'clock P. M. The remains will be taken to Greenwood Cemetery for interment.

In Brooklyn, on Wednesday, April 11, suddenly, of the apoplexy, Mr. JOHN MOORHEAD, in the 77th year of his age.

His friends and those of his family are respectfully invited to attend the funeral, at St. Bartholomew's Church, Lafayette-place, New-York, on Friday, April 13, at 4 o'clock P. M.

In Brooklyn, on Wednesday April 11, Miss MARY KINSEY.

The friends of the family are respectfully invited to attend her funeral, on Sunday, the 15th inst., at 2 o'clock P. M., from the Church of the Holy Trinity, corner of Clinton-st. and Montague-place, without further invitation.

In Brooklyn, on Wednesday, April 11, suddenly, at the residence of his son, L. D. BRANCH, AMOS BRANCH, aged 79 years, 6 months.

The remains will be taken to Connecticut for interment.

In Harlem, on Thursday, April 12 of consumption, BARBARA, wife of Benjamin O. Storms, aged 32 years.

The relatives and friends of the family are respectfully invited to attend the funeral, from her late residence, No. 131 Hudson-st., on Friday, the 13th inst., at 2 o'clock P. M. Her remains will be taken to Greenwood Cemetery for interment.

In this City, on Wednesday morning, April 11, of paralysis, ELIZABETH ROSS, Wife of William Scott, in the 60th year of her age.

The relatives and friends of the family, and also of her son in-law, John Hutton, are respectfully invited to attend her funeral, from her late residence, No. 128 Hudson-st., on Friday, 13th inst., at 3 o'clock P. M. Her remains will be taken to Greenwood Cemetery for interment.

In Williamsburg, on Wednesday, April 11, Mrs. MARY M. CASTERE, in the 56th year of her age.

The relatives and friends are respectfully invited to attend the funeral, from her late residence, No. 289 South 2d-st., on Friday, the 13th inst., at 2 o'clock. Her remains will be taken to Greenwood for interment.

COMMERCIAL AFFAIRS.

For Markets see Third Page.

Sales at the Stock Exchange....APRIL 12

$1,000 U. S. 6s, '68	117½	250	N. Y. Cen. R. R.	.s60	94¾
5,000 U. S. 6s, '56	104	200	do	.sun	94
5,000 N. Carolina 6s	.83	50	do		94¾
3,000 Indiana State 6s	94	50	do		94¾
6,000 do	94¼	50	Panama Railroad	.bl	99
1,000 do	94½	15	North's Ind. R. R.	.bl	95
2,000 Ind. 5's per Cent	91	50	Stonington Railroad	.bl	64½
5,000 Tennessee 6's	94	25	Nor. & Wor. R. R.		39
12,000 Virginia 6's	.93½	50	Erie Railroad	.s3	23½
2,000 Missouri 6's	.93½	100	do	.s3w	23½
10,000 do .....t. tm	93¾	100	do	.bsw	23½
20,000 Erie Bonds of '75	89	200	do	.s	23½
32,000 do	89½	600	do		23½
5,000 do	.s14	89½	100	do	.s10	24
5,000 do	.s14	89½	500	do	.s30	24
5,000 do	89½	400	do		24
10,000 do	.b60	89½	200	do		24
5,000 Hud. R. 1st Mtg. Bs.	103	500	do		24
10,000 Hud. R. 2d Mtg. Bs.	76	10	do		24
1,000 N. Y. Cen. R. R. Bs.	92	100	do	.s5	24
5,000 N. Y. Cen. Bs.	87½	200	do	.s3	24
2,000 do	100	100	do	.s10	24
1,000 Cleve. & Tol. Div. Bs.	74	200	Harlem Railroad	.s3	30
100 Nic. Transit Co.	16	28	do		31
500 do	16½	28	do		30½
10 Del. & Hud. Can. Co.	125	20	Harlem Preferred		50
60 Bank of N. America	103	200	Reading Railroad	.s30	66
10 Market Bank	107	200	do	.s60	67
10 Shoe & Leather Bank	99	125	do	.s3	66
10 Continental Bank	103½	100	do	.s3	66½
250 Canton Co.	.s60	27½	100	do	.c	65½
150 N. J. Zinc Co.	5	1460	do		65
50 Penn. Coal Co.	106½	100	do		65½
20 do	106	600	do		65½
100 do	.bl.	106	600	do	.s10	65½
150 Cumb. Coal Co.	.s60	30	100	do	.s30	65½
250 do	.b60	30½	200	do		65½
100 do	.s	30	150	Hud. River Railroad		39
200 do		30½	50	do	.s	39
200 do		30½	50	Mich. Central R. R.		92½
200 do		30½	10	Clev. & Toledo R. R.		72
200 do		30½	100	do	.b30	74½

BETWEEN BOARDS.

After the adjournment of the board the following sales of bonds and stocks were made at auction by A. H. Nicolay:—

$7,000 Tennessee Sixes, 1892	Flat	93
5,000 Missouri Sixes, 1873	do	93½
8,000 Virginia Common Sixes, 1857	do	96½
1,000 New-Orleans City Sixes, 1890	do	97
2,000 New-York and New-Haven R. R. 7s, 1866	do	85½
1,000 Cincinnati and Chicago R. R. 10s	do	80
£225 do do sterling bonds	do	67
3,000 Flushing R. R. 1st mort	do	70½
5,000 Columbus, Piqua and Ind. R. R. 7s	do	73
7,000 Breckenridge Cannel Coal		$1,375
20 shares Second-avenue Railroad		50
50 shares Third-avenue Railroad		69½
30 shares Michigan Southern Railroad		37
20 shares Mechanics' Bank of Williamsburg		50
75 shares Broadway Fire Insurance Co.		95½
30 shares Humphreysville Copper Co.		40
125 shares Isabella Copper Co.		75c.
500 shares Union Cop. Min. and Smelting Co., N. C.		18c.
300 shares Potomac Copper Co.		25c.

S. DRAPER'S regular semi-weekly sale of bonds and stocks will take place *to-morrow* at 12½ o'clock, at the Merchants' Exchange.

RECORD BOARD.

$1,000 Missouri 6s	93½	200	Reading Railroad	.bl	66
10,000 Indiana State 5s	94	100	do	.b60	66½
5,000 Virginia 6s	93½	100	do		66
5,000 Tennessee 6s	94½	200	do	.s30	66½
5,000 N. J. Con. Bonds	97	200	do	.s30	66½
5,000 Erie Bonds of '75	89	Erie Railroad			
2,000 Ill. Cen. R. R. Bs.	94	100	do	.s60	23½
200 New-York Cen. Rs.	100	50	do	.s30	23½
5,000 do	100	100	do		23½
5 Shs. & Mohawk Rail.	93	100	do	.s3	23½
100 Cumber. Coal Co.	.s60	27½	100	do	.s10	24
100 do	.b60	28	100	do	.b10	24
50 do	.s	28	50	do		24
200 New-York Cen. R. R.	.s60	94¾	200	do	.s30	24
50 do	.s	94¾	100	do		24
200 Ill. Central Railroad	87	100	do		24
100 do	.s	87	100	do		24
100 Harlem Railroad	.s30	30	100	do	.s30	24
100 do	.s	30	200	do		24
200 do	.s30	30½	100	do		24
100 do	.s	30	150	Hud. River Railroad		39
200 do		30½	50	do	.s	39
200 do		30½	50	Mich. Central R. R.		92½
200 do		30½	10	Clev. & Toledo R. R.		72
100 do		30½	100	do	.b30	74½

THURSDAY, April 12—P. M.

The steamer Washington, from Bremen and Southampton, March 28, arrived last evening, brings four days later market accounts from England. The details are limited, and in their tone not particularly important. The Cotton news from Liverpool, and advices from the manufacturing district, show a slight improvement; the daily sales were about 8,000 bales, at the full rates reported by the previous steamer. The London Money market tends to greater ease; the effect of the last Bank report was favorable, and it is stated that further large sums of Specie were known to have gone into the Bank after the report, which would appear in the succeeding exhibit. The Funds had improved a fraction on the telegraphic advices from Vienna; but as the very latest were not quite so encouraging, the advance was lost, and the closing quotation comes 92¾@93. In Paris there had been a daily moderate rise on the Bourse, and the figures are 1¼ ₱ cent. higher. Opinions are much divided on the question of Peace. There was much hopeful for from the Vienna Conference, but no reasonable calculation made on the fall of Sebastopol, should diplomacy fail at the Austrian capital. The Grain market exhibits less firmness.

The unsettled State of our Stock Exchange was made more manifest, to-day, by a disposition to realise upon and make Bear contracts in several of the leading speculatives in which the Bulls had shown great confidence for some weeks past. The sales of Erie were large and at declining prices: Opening 52¼ and closing 51@51½, or 1½ ₱ cent. below the last sales of yesterday. The holders of Reading also gave way, and a single broker sold about 2,000 shares for cash delivery, at 66@65¾ in the forenoon, which so staggered the market as to cause the Stock to close at 65. New-York Central was better supported. The Legislative toll question is now out of the way, and orders for the Stock come in from the interior of the State; 94 ₱ cent. was paid, seller's option to deliver in four months, at the early board, but the price was a fraction lower at the close. State Stocks are a little easier, and the leading Railroad Bonds were not sustained by ½ ₱ cent. as well as yesterday. Some maturing contracts in Hudson River Scrares and in Erie new Bonds, were realized upon by parties receiving them, which contributed to the unsteadiness of the market.

The reported demonstration of the Government upon Cuba, by dispatching a larger fleet than usual to the West India station, disturbs confidence in Money affairs to a partial extent. The movement, though not as far as we can discover, likely to result in war, is regarded by business people as of such hostile character, that it may possibly lead to it. But this view, even in the contingency of a collision between our fleet and some of the Spanish cruisers which have been behaving badly toward our merchant flag, is hardly called for by the probabilities of the